

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40323 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -SULTANGANJ District- BHAGALPUR

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Mukesh Yadav @ Abhishek Kumar @ Abhishek Kumar Yadav, Son of
Indradeo Yadav, R/o village- Pariya Lohapur, P.S.- Bariyarpur, District-
Munger.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bharat Lal, Advocate.

For the Opposite Party : Smt. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sultanganj P.S. Case No. 29/2017 for the offences instituted
under Sections 498(A), 323, 307, 379/34 of the IPC and ¾ of the
D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant due to non-
fulfillment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent. There
is no allegation of tampering with the witnesses alleged against the



petitioner. He has falsely been implicated in the present case due to petty family dispute. The petitioner is the brother-in-law (Bhainsur) of the informant. He is separate in mess and property from the husband of the informant. The petitioner has further relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

It has been submitted by learned counsel for the State that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Sultanganj P.S. Case No. 29/2017 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)