

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.46117 of 2017

Arising Out of PS.Case No. -46 Year- 2017 Thana -MAHILA P.S. District- PATNA

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Ramesh Kumar, S/O Late Siya Sharan Prasad Sinha, resident of Kanti
Factory Road, P.S. Patrakar Nagar, District-Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Kumari Padmaja, D/O Late Dr. Birendra Mohan Prasad Singh, resident
of Bariaya, Aditaya Vishnu Vihar, Purana Motihari Road, P.S. Sadar,
District-Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pramod Kumar Singh, Advocate.

For the State : Smt. Renuka Ratnakar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Mahila (Patna) P.S. Case No. 46/17 for the offences instituted
under Sections 498(A), 307 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 falsely been implicated in the
present case. There is no allegation of tampering with the
witnesses alleged against the petitioner. The case is triable by the



Magistrate. 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. On earlier occasion also, a case for the same offence was filed on behalf of the victim. After investigation, the police had submitted final form in that case. Later on, final form was accepted by the court below and the prosecution was dropped against the petitioner.

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 Mahila (Patna) P. S. Case No. 46/17 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

