

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38253 of 2017

Arising Out of PS.Case No. -83 Year- 2016 Thana -MAHILA PS District- DARBHANGA

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Phool Kant Kumar, S/O Late Jeev Kant Kumar, R/V- Patania, P.S. Biraul,
District-Darbhangha, At present working as Professor in J.K. College, Biraul
(Darbhanga). Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Subhash Kumar Mishra, Advocate.

For the Opposite Party : Mr. Binod Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Mahila P.S. Case No. 83 of 2016 for the offences instituted
under Sections 323, 307, 498(A)/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-
fulfilment of demand of dowry.

It has been submitted on behalf of 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 father-in-law 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.

On behalf of the State, it has been submitted 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 P.S. Case No. 83/16 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Darbhanga, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

