

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43340 of 2017

Arising Out of PS.Case No. -2238 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Umesh Yadav Son of Sri Dasharath Yadav, Resident of Village-Khairati
Hussainganj, P.S. Hussainganj, District Siwan, at Present Resident of
Bhagirathi Lakshmipur, P.S. Mirganj, District Gopalganj.

.... Petitioner

Versus

1. The State of Bihar
2. Sanu Devi Wife of Umesh Yadav, D/o Rabindra Yadav, Resident of
Khairati Hussainganj, P.s. Hussainganj, District Siwan, at Present
Resident of Village Ghusia, P.S.Mirganj, District Gopalganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Naresh Prasad, Advocate.

For the State : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-09-2017 Heard learned counsels for the petitioner, complainant
and learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 2238 of 2015, Tr. No. 2827 of 2017 for
the offences instituted under Sections 323, 498(A), 406 and
120(B) in which cognizance has been taken under Section 498(A)
of the IPC and 4 of the D. P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the complainant 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 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.

It has been submitted by learned counsels for the State and the complainant that the petitioner is named in the complaint case.

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 Complaint Case No. 2238 of 2015, Tr. No. 2827 of 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 S.D.J.M., Gopalganj, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

