

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43609 of 2017

Arising Out of PS.Case No. -8 Year- 2015 Thana -MAHILA P.S. District- SITAMARHI

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Jai Karan Mahto Son of Late Rameshwar Mahto, R/o Village- Mishrauliya
Tola, Sareha, P.S.- Dumara, District- Sitamarhi.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner is apprehending his arrest in connection
with Sitamarhi (Mahila) P.S. Case No. 08/2015 for the offences
instituted under Sections 341, 323, 498(A), 504 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 not the family member of the house of the informant. 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 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 Sitamarhi (Mahila) P.S. Case No. 08/2015 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

