

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.40409 of 2017**

Arising Out of PS.Case No. -3274 Year- 2008 Thana -WEST CHAMPARAN COMPLAINT  
District- WESTCHAMPARAN(BETTIAH)

=====

1. Akhtar Miya @ Akhtar Mian S/o Vahid Miya, Resident of Village-  
Puraina Bazar, P.S.- Chanpatia, District- West Champaran.

.... .... Petitioner

Versus

1. The State of Bihar.  
2. Hasbun Nesha W/o Akhtar Miya @ Akhtar Mian, D/o Nabi Hasan Mian,  
Resident of Village- Nautan Khurd, Tola Marchaiya, P.S.- Majhulia,  
District- West Champaran.

.... .... Opposite Parties

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**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar  
For the Opposite Party/s : Smt Renu Kumari

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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 appearing on behalf of the State.

The petitioner seeks bail in a case instituted under  
Sections 498A of the Indian Penal Code.

The allegation against the petitioner is of committing  
torture upon the victim due to non-fulfillment of the demand of  
dowry.

It has been submitted on behalf of the petitioner that the  
petitioner is in custody since 08.05.2017. The petitioner has got no  
criminal antecedent. There is no allegation of tampering of  
witnesses alleged against the petitioner. The petitioner has falsely



been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari 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 Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail 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., Bettiah, West Champaran, in connection with Complaint Case No. 3274-C/2008 (S.C. No. 201/2016).

**(Sudhir Singh, J)**

Amit/-

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