

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.49724 of 2017**

Arising Out of PS.Case No. -17 Year- 2016 Thana -AGIAUN District- BHOJPUR

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Rakesh Kumar Singh, S/O Dineshwar Singh, R/V- Labhuani, P.S. Agiaon(G), in the district of Bhojpur.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Sunil Kumar, Advocate.

For the Opposite Party : Mr. Prem Kumar Jha, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

2      17-10-2017                      Heard learned counsel for the petitioner, learned counsel for the O.P. no. 2 and learned A.P.P. for the State.

The petitioner is languishing in custody since 01.09.2017 in a case for the offence registered under Sections 498(A), 406 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 victim 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. The petitioner 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.

On behalf of the learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-VII, Bhojpur at Ara, in connection with Agiaon (G) P.S. Case No. 17 of 2016.

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**(Sudhir Singh, J)**

