

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54943 of 2017

Arising Out of PS. Case No.-86 Year-2015 Thana- MAHILA P.S. District- Bhojpur

Shanni Kumar @ Shani Kumar, Son of Sri Lalan Prasad Gupta, Resident of Village Purana Bhojpur Chowk, P.S.- Dumrao in the district of Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Kiran Devi, Wife of Shanni Kumar Gupta, Resident of Village- Purana Bhojpur Chowk, P.S.- Dumrao in the district of Buxar, Daughter of Late Ramnath Prasad, Resident of Pipeline Judge Bazar, Bihia, P.S.- Bihia, in the District of Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-11-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted under Sections 341, 323, 504, 379 and 498A of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody 26.07.2017 and 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 due to petty family dispute. The



case is triable by the Magistrate. The petitioner has 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 is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Sub Divisional Judicial Magistrate, Ara, Bhojpur in connection with Mahila P.S. case No.86 of 2015.

(Sudhir Singh, J)

Narendra/-

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