

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20429 of 2017

Arising Out of PS.Case No. -161 Year- 2016 Thana -KHODABANDPUR District- BEGUSARAI
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Sanjay Kumar, son of Sri Ram Prakash Mahto, Resident of village - Tara
Bariyarpur Purbi, P.S. - Khodabandpur, District - Begusarai.

.... Petitioner

Versus

1. The State of Bihar.
2. Gudiya Kumari D/o Sri Sukhdev Mahto, wife of Sanjay Kumar
Resident of Bariyarpur Purbi, P.S. - Kodabandpur, District - Begusarai.

.... Opposite Parties
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Appearance :

For the Petitioner : Mr. Shalini, Advocate.
For the State : Mr. Kumar Ranjit Ranjan, A.P.P.
For the O.P. No.2 : Mr. Raj Kumar Sinha, Advocate.
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-07-2017 Heard learned counsels for the petitioner, informant and

learned counsel for the State.

The petitioner is apprehending his arrest in connection
with Khodabandpur P.S. Case No. 161/2016 for the offences
instituted under Sections 341, 342, 323, 506, 498(A)/34 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-
fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The case is triable by the Magistrate. He has falsely been implicated in the present case due to petty family dispute. 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 on behalf of learned counsels for the petitioner and the informant that they are agree to stay together. The petitioner shall keep the informant at the native village and from time to time he shall be taking care of expenses of his wife.

On behalf of the learned counsel for the State it has been submitted that there is no objection to the submissions made on behalf of learned counsels for the petitioner and the informant.

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 Khodabandpur P.S. Case No. 161/2016 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. Manjhaul, Begusarai, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

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(Sudhir Singh, J)

