

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38010 of 2017

Arising Out of PS.Case No. -25 Year- 2017 Thana -SAHIYARA District- SITAMARHI

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Sushil Kumar @ Sushil Sah @ Sushil Kr Sah Son of Rohit Lal Sah,
Resident of Village- Sahpur, Sugahi, P.S.- Sahiara, District- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Pratima Devi, wife of Sushil Sah, daughter of Kanhaiya Lal Sah,
Resident of Village- Sahpur, Sugahi, P.S.- Sahiara, District- Sitamarhi,
at present Resident of Village- Pachtaki Yadu, P.S.- Bairgania, District-
Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Hans Lal Kumar, Advocate.
For the State : Mr. Bharat Bhushan, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Sahiyara P.S. Case No. 25/2017 for the offences instituted
under Sections 323, 498(A) and 504 of the IPC.

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. He 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 State, it has been submitted 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 Sahiyara P.S. Case No. 25/2017 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)

