

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38167 of 2017

Arising Out of PS.Case No. -829 Year- 2002 Thana -COMPLAINT CASE District- KISANGANJ

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Chunni Lal Gupta, S/o Sindeshwar Sah, Resident of rahgunath Railway
Gumti, P.S.-Barsoi, District-Katihar.

.... Petitioner

Versus

1. The State of Bihar.
2. Kalyani Devi W/o Chunni Lal Gupta R/o - Sonarpatti Road Ward no.
16, PS & District-Kishanganj.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Diwakar Sinha, Advocate.

For the State : Mr. Md. Anzarul Haque Sahara, 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 languishing in custody since 03.04.2017
in connection with Complaint Case No. 829C/2002 for the
offences instituted under Section 498(A) of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the complainant due to
non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 03.04.2017 and the charge sheet has
been submitted in the present case. He 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 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 C.J.M. Kishanganj in connection with Complaint Case No. 829C of 2002.

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(Sudhir Singh, J)

