

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37576 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -GARKHA District- SARAN

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Sheshnath Kumar son of Shri Harihar Paswan resident of village - Chirand,
Police Station - Doriganj, District - Saran (Chapra).

.... Petitioner

Versus

1. The State of Bihar.
2. Rekha Devi wife of Sheshnath Kumar, daughter of late Haricharan Manjhi resident of village - Chirand, Police Station - Doriganj, District - Saran (Chapra) at present resident of Village Pachbheriya, Police Station - Garkha, District Saran (Chapra).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Hari Mohan Tripathi, Advocate.
For the State : Mr. Asharaf Ansari, 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 Garkha P.S. Case No. 34 of 2017 for the offences instituted under Sections 323, 379, 498(A), 420, 406, 120(B)/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. 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 Garkha P.S. Case No. 34/2017 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. -5th, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

