

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50982 of 2017

Arising Out of PS.Case No. -200 Year- 2017 Thana -BIHARIGANJ District- MADHEPURA

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1. Kanhaiya Lal Bharti Son of Bageshwar Prasad Sah Resident of Village -
Naya Bazar, Bihariganj, P.S. - Bihariganj, District - Madhepura.

.... Petitioner

Versus

1. The State of Bihar.
2. Ruby Kumari @ Ruby Devi wife of Kanhaiya Lal Bharti, Son of
Bageshwar Prasad Sah Resident of Village - Naya Bazar, Bihariganj, P.S. -
Bihariganj, District - Madhepura.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh
For the Opposite Party/s : Mr. Satyavarat Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 323, 341, 498A, 504/34 of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 10.08.2017. There is no allegation of
tampering of witnesses alleged against the petitioner. The
petitioner has falsely been implicated in the present case. The case
is triable by the Magistrate. Due to petty family dispute, the



present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of *Md. Naimul Haque Ansari 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 on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Abhimanyu Kumar, J.M.^{1st} Class, Udakishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 200 of 2017.

(Sudhir Singh, J)

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