

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.58834 of 2017

Arising Out of PS.Case No. -447 Year- 2017 Thana -SITAMARHI District- SITAMARHI

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MUKESH KUMAR YADAV @ MUKESH KUMAR S/o Surendra Prasad
Yadav, R/o Village- Amba Ojha Tola, P.S.- Piparahi, Distt.- Sheohar.

.... Petitioner

Versus

1. The State of Bihar.
2. Anita Kumari W/o Makesh Kumar Yadav D/o Baidhyanath Rai, R/o
Village- Kharka P.S. and District- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Virendra Kumar, Advocate.
For the State : Smt. Rita Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
04.07.2017 in a case for the offence registered under Sections 307,
498(A)/34 of the IPC and 3/4 of the D. P. Act.

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

It has been submitted by learned counsel for the
petitioner that the petitioner has falsely been implicated in the
present case due to petty family dispute. There is no allegation of
tampering with the witnesses alleged against the petitioner. The



petitioner is husband of sister of informant. There is no injury report to support the allegation made in the F.I.R. 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Sitamarhi in connection with Sitamarhi P.S. Case No. 447 of 2017.

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(Sudhir Singh, J)

