

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45918 of 2017

Arising Out of PS. Case No.-37 Year-2016 Thana- MAHILA PS District- Gaya

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Bishun Yadav Son of Late Dilchand Yadav, resident of Village- Ambatari,
P.S.- Mohanpur, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kaili Devi, W/o Bishun Yadav, D/o Ram Prasad Yadav, resident of Village- Ambatari, P.S.- Mohanpur, District- Gaya, At present resident of Village- Gani Pipra, P.S.- Fatehpur, District- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Sinha, Advocate
For the Opposite Party/s : DR. KUMAR UDAY PRATAP , APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-09-2017 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 498A, 494, 323, 504/34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.6.2017 and has got no criminal
antecedent. There is no allegation of tampering of witnesses
alleged against the petitioner. The petitioner has falsely been
implicated in the present case due to petty family dispute. The
case is triable by the Magistrate. The petitioner has 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 is 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate 1st, Gaya in connection with Mahila P.S. case No.37 of 2016.

(Sudhir Singh, J)

Narendra/-

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