

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57696 of 2017

Arising Out of PS. Case No.-327 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Amit Kumar S/o Abhay Kumar @ Ghuran Mahto, R/o Village- Simari, P.S.-
Bidyapati Nagar, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Kunchan Mala W/o Amit Kumar, D/o Sudhir Kumar Nirla, R/o
Village- Damodarpur, Post Surauli, P.S.- Bibhutipur, District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Onkar Nath, Advocate
For the State : Mr. YOGENDRA KUMAR, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under Section
498A of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

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 30.10.2017 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 and learned counsel for the opposite party No.2, it is 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 bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Dalsingsarai, District Samastipur in connection with Complaint case No.327 of 2015.

(Sudhir Singh, J)

Narendra/-

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