

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15392 of 2018

Arising Out of PS.Case No. -687 Year- 2016 Thana -PHULWARI District- PATNA

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Simant Kumar, S/o Rajendra Prasad, aged about 33 years, Presently residing of Mohalla- Maurya Vihar, Near Loha Factory, P.S.- Phulwari Sharif, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Priyanka Kumari Sinha, D/o Sri Harendra Prasad, Presently residing at Chayakunj Apartment, Ground Floor, Flat No. 101, Ashokpuri Chaurah, Khajpura, P.S.- Rajiv Nagar, Patna, Resident of Mohalla- Belbanwa, P.O.+P.S.- Motihari, District- East Champaran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Samir Kumar, Advocate.

For the State : Mr. Satyadev Prasad Singh Yadav, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-03-2018 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

The petitioner is languishing in custody since 08.01.2018 in a case for the offence registered under Sections 498(A) 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-fulfilment of demand of dowry.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the 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 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 counsels for the State and opposite party no. 2, 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 A.C.J.M.-cum-Sub Judge-XV, Patna, in connection with Phulwari Sharif P.S. Case No. 687 of 2016.

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(Sudhir Singh, J)