

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12416 of 2018

Arising Out of PS.Case No. -315 Year- 2015 Thana -MASRAKH District- SARAN

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Om Prakash Prabhakar, Son of Vishwanath Prasad @ Vishwanath Singh,
Resident of Village- Bahrauli (Darbar Tola), Police Station- Mashrak,
District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vipin Kumar Singh, Advocate.

For the Opposite Party : Mr. Surendra Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
29.01.2018 in a case for the offence registered under Sections
498(A), 341, 323, 307/34 of the IPC and ¾ 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. 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. There is no medical examination report in respect of offence under Section 307 of the IPC. Rests of the offences are 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 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 J.M. Ist Class, Saran at Chapra, in connection with Mashrakh P.S. Case No. 315 of 2015.

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(Sudhir Singh, J)

