

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10799 of 2018

Arising Out of PS. Case No.-454 Year-2017 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Hari Mahto @ Harinath Mahto son of Suresar Mahto, resident of village
Amarpura, P.S. Mohammadpur, District Gopalganj

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rekha Devi wife of Govind Mahto, daughter of Surendra Mahto, resident
of village Amarpura, P.S. Mohammadpur, District Gopalganj, presently
residing at village Pipra Singrahi, P.S. Panapur, District Saran at Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Jeetendra Narayan, Advocate
For the APP	:	Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Section
498A/34 of the Indian Penal Code and ¾ 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 20.12.2017 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. The case is triable by the



Magistrate. The petitioner is the father-in-law of the victim. He is separate in mess and property from the husband of the victim. 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 complaint case/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 Sub Divisional Judicial Magistrate, Gopalganj in connection with Trial No.3438 of 2017 arising out of Complaint case No.454C of 2017.

Narendra/-

(Sudhir Singh, J)

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