

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21267 of 2018

Arising Out of PS. Case No.-56 Year-2012 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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Bhola Mukhiya, Son of Chalitar Mukhiya, Resident of Village- Kako, P.S.
Bhairab Asthan, District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Durga Devi, Wife of Bhola Mukhiya, Daughter of Munna Mukhiya, Resident of Village- Nahar, P.S. Pandaul, District- Madhubani.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Ram Priya Saran Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 323, 498A, 379 of the Indian Penal Code and Section 3/4 of the 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 15.10.2017 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, it is submitted that the petitioner is named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned learned S.D.J.M., Madhubani in connection with Complaint Case No. 56/2012.

(Sudhir Singh, J)

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