

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18708 of 2018

Arising Out of PS.Case No. -6 Year- 2018 Thana -KESARIA District-
EASTCHAMPARAN(MOTIHARI)

=====

Upendra Sah @ Rupendra Sah, S/o Motilal Sah, R/o Vill Bettiah Basant
P.S. Kesariya Dist.- E. Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dhannjay Kumar No 2, Advocate.

For the Opposite Party : Mr. Sakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 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
02.02.2018 in a case for the offence registered under Sections
498(A), 504 and 506 of the IPC.

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. 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.-II, Motihari, East Champaran at Motihari, in connection with Kesariya P.S. Case No. 06/2018.

The opposite party no. 2, if so advised, may approach before the competent authority/court for redressal of her grievance, if any.

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(Sudhir Singh, J)

