IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21284 of 2018

Arising Out of PS. Case No.-319 Year-2017 Thana- SITAMARHI COMPLAINT CASE District- Sitamarhi

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Md. Hussain son of Md. Akbar Hussain @ Sandhi Hussain, resident of village Kamaldah, P.S. Bathnaha, District Sitamarhi

... ... Petitioner/s

Versus

1. State Of Bihar
2. Yasmin Khatoon wife of Md. Hussain, daughter of Abdul Majeed, resident of village Bhutahi Tkaiya Tola, P.s. Sonbarsa, District Sitamarhi

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Hans Lal Kumar
For the Opposite Party/s : Mr. Smt Sangeeta Sharma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 498A, 323, 379, 504/34 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 13.02.2018 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

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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 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 learned S.D.J.M., Sadar, Sitamarhi in connection with Complaint case No. C1-319 of 2017.

(Sudhir Singh, J)

Narendra/-

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