

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21576 of 2018

Arising Out of PS. Case No.-23 Year-2015 Thana- MAHILA P.S. District- Bhagalpur

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VIJAYANT UPADHAYAY @ BIJYANT KUMAR UPADHYAYA, son of
Ram Krishna Upadhayay, r/o- village Mashakchak, P.S.- Adampur, District-
Bhagalpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Babita Kumari

For the Opposite Party/s : Smt Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A, 506/34 of the Indian Penal Code
and Sections 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 13.03.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in the present case.
The petitioner has falsely been implicated in the present case



due to petty family dispute. Earlier, the victim had instituted a case for similar offence. 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., Bhagalpur in connection with Bhagalpur Mahila P.S. Case No. 23/15.

(Sudhir Singh, J)

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