

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11161 of 2018

Arising Out of PS. Case No.-173 Year-2017 Thana- BALRAMPUR District- Katihar

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Jitendra Rai @ Jitendar Roy son of Priyanath Roy, resident of village Shahpur, P.S. Balrampur, District Katihar

... .. Petitioner/s

Versus

1. State Of Bihar
2. Prabha Rai w/o Jitendra Rai @ Jitendar Roy of vill. Shahpur, P.S. Balrampur, Distt. Katihar and D/o Tika Roy at present she resides at vill. Dubkul Shahpur, P.S. Guwalpara, Distt. Uttar Dinajpur (West Bengal)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Qumrul Hoda
For the Opposite Party/s : Mr. HUMAYOU AHMAD KHAN

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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 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 13.11.2017 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 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 A.C.J.M. VI, Katihar in connection with Balrampur P.S. case No.173 of 2017.

(Sudhir Singh, J)

Narendra/-

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