

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14420 of 2018

Arising Out of PS.Case No. -142 Year- 2016 Thana -BELDAUR District- KHAGARIA

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Md. Mujammil @ Md. Mojjamil, S/o Md. Salamat, R/o Village- Chouadhli,
P.S.- Beldaur, Distt.- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sudha Chandra, Advocate.

For the Opposite Party : Mr. Ashok Kumar Singh 1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-03-2018 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
29.08.2017 in a case for the offence registered under Sections
498(A) and 307 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.
Charge sheet has been submitted in the present case. 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. There is no injury report to support the allegation for making an offence under Section 307 of the IPC. Other offences are 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 F.T.C.-II, Khagaria, in connection with S. C. No. 426/2017, arising out of Beldaur P.S. Case No. 142 of 2016.

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(Sudhir Singh, J)

