

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26780 of 2018

Arising Out of PS. Case No.-40 Year-2018 Thana- SIMRIBAZAR District- Darbhanga

1. Mohan Kumar Bhagat, S/o Ram Binod Bhagat @ Ram Singhashan Bhagat @ Ram Singhashan Bhagan.
2. Bachuliya Devi W/o Ram Bhagat @ Ram Singhasan Bhagan @ Ram Singhashan Bhagat,
3. Menka Devi W/o Mohan Kumar Bhagat, All Residents of Vill.- Banauli, P.S.- Simari, District- Darbhanga (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra
For the Opposite Party/s : Smt. Pronati Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners seek bail in a case registered under Sections 341, 342, 323, 307/34, 498A of the Indian Penal Code and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 03.04.2018 and have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have



falsely been implicated in the present case. There is no medical examination report in support of the allegations in respect of an offence under Section 307 I.P.C. Same is superficial in nature. Rest of the offences are triable by the Magistrate. The petitioners have 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 petitioners are named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, 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 Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. case No.40 of 2018.

(Sudhir Singh, J)

Narendra/-

U		T	
---	--	---	--

