

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.28974 of 2018**

Arising Out of PS. Case No.-37 Year-2018 Thana- CHAURADANO District- East  
Champaran

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Ajay Prasad S/o Deenanath Prasad, R/o Vill.- Bhelwa (Chhauradano), P.S.-  
Chhauradano, Distt.- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Usha Devi W/o Ajay Prasad D/o Jhotilal Sah, R/o Vill.- Bhelwa  
(Chhauradano), P.S.- Chhauradano, Distt.- East Champaran.

... .. Opposite Party/s

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**Appearance :**

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|--------------------|---|----------------------------|
| For the Petitioner | : | Mr. Ajay Kumar Singh, Adv. |
| For the State      | : | Mr. Parmanand Kumar, APP   |
| For the Informant  | : | Mr. Binay Kumar, Adv.      |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      10-05-2018                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the Informant.

The petitioner seeks bail in a case registered under  
Sections 341, 323, 307, 498A, 504, 506 of the Indian Penal  
Code.

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 petitioner that  
the petitioner is in custody since 23.03.2018. 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. There is no medical examination report in support of the allegations in respect of offence under Section 307 of the I.P.C. Rest of the offences are triable by the Magistrate. The victim is in habit of instituting cases for similar offence against the petitioner and his family members. 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 and learned counsel for the Informant, it is submitted that the petitioner is named in the 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 S.D.J.M., Raxaul at Motihari, East Champaran in connection with Chhauradano P.S. case No.37 of 2018.

**(Sudhir Singh, J)**

Narendra/-

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