

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29870 of 2018

Arising Out of PS.Case No. -104 Year- 2017 Thana -MAHILA P.S. District- BHOJPUR

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Santosh Kumar Son of late Sardanand Thakur Resident of Village Gaura,
P.S. Behea, Distt. Bhojpur(Arrah).

.... Petitioner

Versus

1. The State of Bihar.
2. Pratima Devi Wife of Tuna thakur, D/o Rajeshwar Singh Resident of Village Gaura, P.S. Behea, Distt. Bhojpur(Arrah).Presently resident of Village Marar Rama Nagar, Munda tola, P.S. Ramgadh Distt Ramgadh, Jharkhand.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Chandan Kumar Verma, Advocate.

For the State : Mr. Pranav Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.04.2018 in a case for the offence registered under Sections
498(A), 354(a), 379/34 of the IPC and 3/4 of the D.P. Act.

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. 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. The petitioner is *Dewar* of the victim. He is separate in mess and property from the husband of the victim. The case is 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 counsel for the State, 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 S.D.J.M. Bhojpur (Arrah), in connection with Bhojpur Mahila P.S. Case No. 104 of 2017.

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(Sudhir Singh, J)

