

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34412 of 2018

Arising Out of PS.Case No. -264 Year- 2017 Thana -TARAIYA District- SARAN

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1. Vijay Kumar Mahto @ Vijay Prasad, Son of Rangila Mahto, resident of Village- Rasidpur, P.S. Taraiya, District Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under Sections-341, 323, 307, 498A/34 of the Indian Penal Code and ¾ of D.P. Act.

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

It has been submitted on behalf of the petitioner that the petitioner is in custody since 18-04-2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The nature of injury is said to be simple in nature. Hence, no offence under Section 307 is



made out. Rest of the offences are 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 learned Chief Judicial Magistrate, Saran at Chapra connection with Taraiya P.S. Case No. 264 of 2017.

(Sudhir Singh, J)

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