

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38099 of 2018

Arising Out of PS. Case No.-26 Year-2018 Thana- KHAZANIHAT District- Purnia

SAWAN YADAV @ SAWAN KUMAR YADAV, S/o Late Manoj Yadav @ Late Manoj Kumar Yadav, Resident of Village - Uphrail, Naya Tola, Wad No. 10, P.S.- K.Hat (Maranga), District- Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Arti Kumari @ Soni Kumari, W/o Sawan Yadav, R/o Village Uphrail, Naya Tola, Ward No. 10, P.S. K.Hat (Maranga), District- Purnea at Present residing at Village- Thekpura, P.S.- Raniganj, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar
For the Opposite Party/s : Mr. C. Jawahar, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 326, 328, 307, 498A/34 of the Indian Penal Code and Sections 3/4 of the 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 petitioner that the petitioner is in custody since 25.1.2018 and has got no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. Except for the offences under Section 307 and 328 of IPC, 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 F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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, Purnea in connection with K. Hat (Maranga) P.S. Case No. 26 of 2018.

(Sudhir Singh, J)

Pankaj/-

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

