

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42007 of 2018**

Arising Out of PS. Case No.-74 Year-2018 Thana- MINAPUR District- Muzaffarpur

MAHESH SHARMA son of Shri Shiv Shankar Dasaudhi, resident of  
Mohalla/Village- Jhitkahiya, P.S.- Minapur, District- Muzaffarpur, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Basant Kumar Tripathy  
For the Opposite Party/s : Mr. Sri Dashrath Mehta

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

2     17-07-2018                      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, 342, 323, 498(A) and 307/34 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 13.3.2018. 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. All the offences, except Section 307



IPC, 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, Muzaffarpur in connection with Minapur P.S. Case No. 74/2018 (G.R. No. 922 of 2018).

**(Sudhir Singh, J)**

Pankaj/-

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