

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36591 of 2018

Arising Out of PS. Case No.-98 Year-2018 Thana- SUGAULI District- East Champaran

BALESHWAR SAHANI S/o Late Rupnarayan Sahani, R/o Vill.- Dhanahi,
P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

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

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 341, 323, 379, 307, 504, 506, 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 25.3.2018. 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. The victim and her family members are in the habit of instituting cases for similar offence against the petitioner and his family members. Except for the offence under Section 307 IPC, all the other 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, Motihari, East Champaran in connection with Sugauli P.S. Case No. 98 of 2018.

(Sudhir Singh, J)

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