

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39485 of 2018

Arising Out of PS. Case No.-893 Year-2016 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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Sk. Shamshad, son of Sk. Sabir, Resident of Village- Basantpur, Police Station- Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Khusboo Khatoon @ Basra Khatoon, Wife of Sk. Shamshad, Daughter of Sk. Aslam, Resident of Village- Basantpur, Police Station- Chautarwa, District- West Champaran, Presently resided of Village- Sheikh Dhurwa, Police Station- Manuapul, District- West Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Kishun Prasad
For the Opposite Party/s : Mr. Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 323, 498A of the Indian Penal Code and ¾ of
Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture 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 27.02.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has



falsely been implicated in the present case due to petty family dispute. The case is 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, Bettiah, West Champaran in connection with Complaint case No.893 of 2016, Tr. No. S.C. 1127 of 2017.

(Sudhir Singh, J)

Narendra/-

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