

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40575 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- MAHILA PS District- Darbhanga

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Dharmendra Kumar, S/o Late Surya Nandan Prasad, Resident of Mohalla-
K.M. Tank, P.S. Laheriasarai, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.1

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 25-07-2018 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 498A, 323, 341, 342, 324, 326, 307/34 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 9.3.2018 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 is debar of the



victim. He has falsely been implicated in the present case due to mistake of fact.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R. The statement of victim has been recorded in paragraph 6 of the case diary where she has alleged that the accused has poured kerosene oil on her and put her on fire due to which she sustained burn injury. From the medical examination report also, it is evident that the victim has sustained burn injury.

Considering the nature of accusation, I am not inclined to grant bail to the petitioner. Prayer is rejected for the present. The consideration of bail of other accused was made on the ground of being a lady.

(Sudhir Singh, J)

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