IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2784 of 2018

Arising Out of PS. Case No.-3145 Year-2013 Thana- EAST CHAMPARAN COMPLAINT District- East Champaran

==========

Vikash Kumar @ Bikash Kumar son of Vinod Kumar @ Arbind Kumar, resident of Mohalla Chandmari, P.O. and P.S. Motihari Town, District East Champaran

... ... Petitioner/s

Versus

1. State Of Bihar
2. Rinki Kumari wife of Vikash Kumar, D/o Ram Naresh Prasad, resident of village Turkaulia Bazar, P.O. and P.S. Turkaulia, District East Champaran

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Pravin Kumar
For the Opposite Party/s : Mr. SANJAY KUMAR SINGH

==========

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 18-01-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 498A, 307, 406, 504, 324, 120B of the I.P.C. of the Indian Penal Code and ¾ of 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 02.11.2017. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to

WEB COPY

petty family dispute. There is no medical examiantion report to support the allegations for an offence under Section 307 of the I.P.C. The Complainant is in habit of instituting similar cases against the petitioner and his family members. 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.

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 S.D.J.M. Sadar, Motihari in connection with Complaint case No.3145 of 2013, Tr. No.5378 of 2015 presently Tr. No.863 of 2017.

(Sudhir Singh, J)

Narendra/-

U		T	

WEB COPY