

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44242 of 2018

Arising Out of PS.Case No. -132 Year- 2017 Thana -ASHTHWAN District- NALANDA
(BIHARSHARIFF)

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PAWAN KUMAR @ PANKAJ KUMAR, son of Rambriksh Mahto @
Bhattu Mahto, resident of Village- Ugawan, Police Station- Asthawan,
District- Nalanda.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabi Bhushan Prasad No. 1, Advocate.

For the Opposite Party : Mr. Rajkishore Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
11.04.2018 in a case for the offence registered under Sections 341,
323, 498(A), 364/34 of the IPC and 3 & 4 of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. Except for offence under Section 364 of the IPC, rests of the offences are triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ 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 the learned A.C.J.M.-V, Nalanda at Bihar Sharif, in connection with Asthawan P.S. Case No. 132 of 2017.

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(Sudhir Singh, J)

