

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51253 of 2018

Arising Out of PS. Case No.-878 Year-2017 Thana- BIHTA District- Patna

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Ajay Kumar @ Ujjain Kumar @ Ujayan Kumar Son of Nand Gopal Yadav
Resident of Village- Dihari, P.O. Asani, P.S. Udwant Nagar, District-
Bhojpur(Ara).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Juhi Kumari @ Sapana Daughter of Sri Laxman Yadav, Wife of Ajay Kumar@ Ujjain Kumar Resident of Village Sikandia, P.O. Tarapur, P.S. Bihta, District- Patna.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for O.P. No. 2.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 341, 323, 307, 379, 34 and 494 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 19.5.2018 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 has falsely been implicated in the present case due to petty family dispute. There is no medical report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. Rest of the 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 A.C.J.M., Danapur in connection with Bihta P.S. Case No. 878 of 2017.

(Sudhir Singh, J)

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