

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50674 of 2018

Arising Out of PS.Case No. -145 Year- 2016 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN (MOTIHARI)

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Rajesh Mali, S/o Mahendra Mali, Resident of Village- Baidnathpur, P.S.
Jharokhar, District- East Champaran.

.... Petitioner

Versus

1. The State of Bihar.
2. Lilam Devi, W/o Rajesh Mali, D/o Kishundeo Mali Resident of Village-
Enarva, P.S. Kopba, District Rothat (Nepal).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Girish Chandra Jha, Advocate.

For the State : Mr. Uday Chand Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
05.06.2018 in a case for the offence registered under Sections
498(A), 323, 504, 406 and 342 of the IPC in which cognizance has
been taken under Section 498(A) of the IPC.

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. 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. The case is 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 J.M. Ist Class, Sikrahna at Dhaka (East Champaran), in connection with Complaint Case No. C-145/2016.

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(Sudhir Singh, J)

