

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.63542 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -MAHILA P.S. District- SIWAN

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Sanjay Panday, S/O Late Baleshwar Pandey, R/V- Tali Bujurg, P.S. Guthani, District-Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Sabita Pandey, W/O Sanjay Pandey, R/V- Tali, P.S. Guthani, District-Siwan, at present- R/V- Kilpur, P.S. Nautan, District-Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Chandra Kant, Advocate.

For the State : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

The languishing in custody since 30.10.2017 in a case for the offence registered under Sections 341, 323, 406, 494 and 498(A) of the IPC.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment 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 and learned counsel for opposite party no. 2, 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 C.J.M. Siwan, in connection with Siwan Mahila P.S. Case No. 79 of 2016.

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(Sudhir Singh, J)

