

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57117 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -KADAMKUAN District- PATNA

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1. Deepu Gupta S/o Ashok Gupta @ Ashok Kumar Das, Rajendra Nagar
Road No. 1E, Yadav Niwas, P.S.- Kadam Kuan, District- Patna.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Syed Mohammad Shabbir Alam

For the Opposite Party/s : Mr. Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-01-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Sections 498(A)/364 of the Indian Penal Code.

The allegation against the petitioner is of committing
torture upon the victim due to non-fulfillment of the demand of
dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 23.06.2017. The petitioner has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. The petitioner has falsely
been implicated in the present case. From perusal of the F.I.R., it
appears that no offence under Section 364 of the Indian Penal code



is made out against the petitioner. There is no allegation of use of force. The victim has left her house on her own. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the state, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge-VIII-cum-A.C.J.M., Patna, in connection with Kadamkuan P.S. case No.259 of 2017.

(Sudhir Singh, J)

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