

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55913 of 2018

Arising Out of PS.Case No. -896 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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Sanwar Sah @ Sanwar Shah, Son of Late Mohan Shan, Resident of Village-
Itaharwa, P.S.- Kanhauli, Dist- Sitamarhi.

.... Petitioner

Versus

1. The State of Bihar.
2. Hasmun Khatoon, W/o Md. Aslam Shah, Resident of Village- Itaharwa,
P.S.- Kanhauli, Dist- Sitamarhi.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate.
For the State : Mr. Yogendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
20.06.2018 in a case for the offence registered under Sections
498(A), 379 and 323/34 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 petitioner is *Bhaisur* of the victim. He is separate in mess and property from the husband of the victim. 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 A.C.J.M.–IV, Sitamarhi, in connection with Complaint Case No. C1/896/15, Trial No. 1983/2018.

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(Sudhir Singh, J)