

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18373 of 2018

Arising Out of PS. Case No.-1314 Year-1997 Thana- COMPLAINT CASE District- Araria

Md. Shoeb, S/o Late Kalimuddin, Resident of Village- Murballa, P.S. & District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Bibi Kalila, W/o Md. Shoeb & D/o Dost Mohammad, Resident of Village- Murballa, P.S. & District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. SRI SHYAM KUMAR SINGH

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 30-03-2018 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party No. 2.

The petitioner seeks bail in a case instituted for the offences under Sections 498A of the Indian Penal Code.

Allegation against the petitioner is of committing torture 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 29.12.2017 and 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 due to petty family dispute. The case is 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. Ranjan, Judicial Magistrate, 1st Class, Araria in connection with Complaint Case No. 1314-C/97.

(Sudhir Singh, J)

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