

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19917 of 2018

Arising Out of PS.Case No. -330 Year- 2017 Thana -SAHEBGANJ District- MUZAFFARPUR

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Rina Devi, W/o Munna Das, resident of Village- Nawanagar, P.S.-
Sahebganj, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar @ S.K., Advocate.

For the Opposite Party : Mr. Navin Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since
28.02.2018 in a case for the offence registered under Sections 328
and 498(A) of the IPC and 3 /4 of the D.P. Act.

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 sister-in-law



(*Gotani*) of the victim. She is separate in mess and property from the husband of the victim. It is further submitted that no offence under Section 328 of the IPC is made out in the present case. Rest of the offence 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 counsels for the State and 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 A.C.J.M.-1st (West), Muzaffarpur, in connection with Sahebganj P.S. Case No. 330 of 2017.

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(Sudhir Singh, J)

