

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22244 of 2018

Arising Out of PS. Case No.-977 Year-2015 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Sarvesh Mistry, Son of Binod Mistry, Resident of Village-Rasula, P.S.-Kako,
(Bhalawar O.P.), District-Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalo Devi, Wife of Sarvesh Mistry, R/o Village-Rasula, P.S.-Kako,
(Bhalawar O.P.), District-Jehanabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sewak Prasad
For the Opposite Party/s : Mr. Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-04-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A and 494 of the Indian Penal Code
and Sections 3/4 of the Dowry Prohibition Act.

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 09.03.2018 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 learned A.C.J.M., Jehanabad in connection with Complaint Case No. 977 of 2015.

(Sudhir Singh, J)

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