

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26893 of 2018

Arising Out of PS. Case No.-99 Year-2016 Thana- DUMRIAGHAT District- East Champaran

Murad Alam son of Md. Hadish Ansari, resident of village Jalwa Toli
(Hussaini), P.S. Dumariya Ghat, District East Champaran

... .. Petitioner/s

Versus

1. State Of Bihar
2. Khusbun Khatoon wife Murad Alam, resident of village Jalwa Toli
(Hussaini), P.S Dumariya Ghat, District East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shakil Ahmad Khan
For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 323, 307, 498A, 506/34 of the Indian Penal Code
and ³/₄ of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture and assault 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 9.4.2017. 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 nature of injury is said to be simple.



Hence no offence under Section 307 I.P.C. is made out. Rest of the offences are 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.

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 S.D.J.M. Sadar, Motihari, East Champaran in connection with Dumariya Ghat P.S. case No.99 of 2016.

(Sudhir Singh, J)

Narendra/-

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