

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33425 of 2018

Arising Out of PS. Case No.-1039 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Rajesh Kumar, s/o- Sri Ram Baitha, r/o- village Suhiya, P.O.- Suhiya, P.S.-
Shahpur, District- Bhojpur, Ara.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Arti Devi, d/o- Late Jainendra Ram, r/o- village Kharwaniya, P.O.-
Bhatauli, P.s.- Navanagar, District- Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Parijat Saurav
For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-06-2018 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 341, 323, 504, 506, 498A, 120B of the
Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act
but cognizance has been taken under section 498A IPC and
Section 4 of the D.P. 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 16.4.2018 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 S.D.J.M., Buxar in connection with Buxar Complaint Case No. 1039(c)/2016.

(Sudhir Singh, J)

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