

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36482 of 2018

Arising Out of PS. Case No.-20 Year-2014 Thana- MAHILA PS District- Khagaria

Binod Paswan @ Binod Kumar, Son of Shiv Shankar Paswan, Resident of Village- Barsanpatti (Barsam), Police Station Sour Bazar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Sonam @ Pinki, Daughter of Bimal Paswan, resident of Village- Barsam, Police Station Sour Bazar, District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-07-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Section 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 21.05.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. The victim and her family members



are in the habit of instituting cases for similar offence against the petitioner and his family members. 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., Khagaria in connection with Khagaria Mahila P.S. Case No. 20/2014.

(Sudhir Singh, J)

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