

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36874 of 2018

Arising Out of PS. Case No.-491 Year-2012 Thana- KHAGARIA District- Khagaria

Binod Kumar son of Shiv Shankar Paswan, resident of Village- Dudhaila,
P.S.- Madhepura, District- Madhepura.

... .. Petitioner/s

Versus

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

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Viveka Nandsingh

For the Opposite Party/s : Mr. Anish Chandra

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 Sections 498A and 494 of the Indian Penal Code in which cognizance has been taken under section 498A/34 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 16.5.2018. 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 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 Sri Rabindra Kumar, learned S.D.J.M., Khagaria in connection with Khagaria (Mufassil) P.S. Case No. 491 of 2012.

(Sudhir Singh, J)

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