

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39589 of 2018

Arising Out of PS. Case No.-166 Year-2018 Thana- FORBESGANJ District- Araria

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Md. Hira @ Hira S/o Haider Resident of Village - Dholbazza, P.S. -
Forbesganj, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nashira Khatoon W/o Md. Hira @ Hira R/o Village Dholbazza, P.S.
Forbesganj Araria, District - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Ram Sumiran Roy

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 498A, 307/34 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 23.03.2018 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. 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. Except for offence under Section 307 of the I.P.C. 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 complaint case/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 learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. case No.166 of 2018, G.R. No.732 of 2018.

(Sudhir Singh, J)

Narendra/-

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