

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40579 of 2018

Arising Out of PS.Case No. -73 Year- 2018 Thana -KHAIRA District- SARAN

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MD. ISLAMUDIN @ MD. ISLAMUDDIN @ ISLAMUDDIN, Son of Late Imamudin resident of Village-Shahpur (Dor Chhapra), P.S.-Amnour, District-Saran at Chhapra

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.

For the Opposite Party : Mr. Pranav Kumar, A.P.P.

For the Informant : M/S. Manoj Kumar, Raj Narayan Mishra and Kshem Sharma, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the informant.

The petitioner is languishing in custody since 29.04.2018 in a case for the offence registered under Sections 312, 313, 315, 498(A) and 34 of the IPC and Section 34 of the D. P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the



petitioner. There is no medical examination report in respect of offences under Sections 313 and 315 of the IPC. Rests of the offences are triable by the Magistrate. The petitioner is father-in-law of the victim. He is separate in mess and property from the husband of the victim. The petitioner has further 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 learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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 the learned Additional Chief Judicial Magistrate-Xth, Saran at Chapra, in connection with Khaira P.S. Case No. 73 of 2018.

U.K./Abhijeet

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(Sudhir Singh, J)