

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42297 of 2018

Arising Out of PS. Case No.-23 Year-2018 Thana- PRATAPGANJ District- Supaul

Md. Jamahir S/o Md. Majlum, R/o Parmanandpur, P.S.- Pratapganj, District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh
For the Opposite Party/s : Mr. Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections 341, 323, 307, 326, 498A, 504, 506/34 and 304B of the Indian Penal Code and $\frac{3}{4}$ of Dowry Prohibition Act.

Allegation is that the accused persons including the petitioner committed murder of the daughter of the informant due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 7.3.2018 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 been made accused due to mistake of fact. The witness in para 77 of the case diary has



not supported the allegations made in the F.I.R. The informant vide Annexure-2 to the supplementary affidavit has filed a petition before the court below stating that the case was instituted due to mistake of fact.

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 S.D.J.M., Birpur (Supaul) in connection with Pratapganj P.S. case No.23 of 2018.

(Sudhir Singh, J)

Narendra/-

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