

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45297 of 2018

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

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Md. Jainuddin @ Md. Jamaluddin, Son of Md. Islamuddin, Resident of
Village- Shahpur (Dor Chhapra), P.S.- Amnour, District- Saran at Chapra.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dewendra Narayan Singh, Advocate.
For the State : Mr. Dashrath Mehta, A.P.P.
For the Informant : M/S. Ratneshwar Prasad, Nitu Kumari and
Purshottam Kumar Singh, Advocates.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-08-2018 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)/34 of the IPC and ¾ 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.
Charge sheet has been submitted in the present case. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. There is no medical examination report in respect of offence under Sections 313 and 315 of the IPC. Rests of the offences are triable by the Magistrate. 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 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 A.C.J.M.-Xth, Saran at Chapra, in connection with Khaira P.S. Case No. 73/2018.

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(Sudhir Singh, J)