

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21434 of 2018

Arising Out of PS. Case No.-355 Year-2017 Thana- PAHARPUR District- East Champaran

Kameshwar Sah s/o Babulal Sah r/o vill Dhudhiya Sariya P.S. Paharpur Dist
E. Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma

For the Opposite Party/s : Mr. Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 494/34 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 19.12.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. 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 learned learned Chief Judicial Magistrate, Motihari in connection with Paharpur P.S. Case No. 355 of 2017.

If so advised, the Opposite Party No. 2 may approach the Family Court of competent jurisdiction for redressal of her grievances, if any.

(Sudhir Singh, J)

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