

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19285 of 2018

Arising Out of PS.Case No. -267 Year- 2017 Thana -RAMGARHWA District-
EASTCHAMPARAN(MOTIHARI)

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Kalim Mian, Son of Isarail Mian @ Israyal Mian, Resident Village-
Piparpati Ghat, P.S. Ramgarhwa, District- East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : M/S. Pramod Kumar Singh and Kundan
Rathore @ Kundan Kumar, Advocates.

For the Opposite Party : Mr. Bisheshwar Ram, A.P.P. 18.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-04-2018 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned A.P.P. for the
State.

The petitioner is languishing in custody since
31.12.2017 in a case for the offence registered under Sections
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. 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. The case is 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 opposite party no. 2, 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 S.D.J.M. Raxaul at Motihari, East Champaran, in connection with Ramgarhwa P.S. Case No. 267/2017.

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(Sudhir Singh, J)

