

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25295 of 2018

Arising Out of PS.Case No. -348 Year- 2017 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

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1. Asagar Ali @ Md. Asgar Ali S/o Jalil Khan, Resident of Village-Suarchhap Pipra, P.S.-Lauria, District-west Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Gulisha Khatoon D/o Hanan Khan, W/o Asagar Ali @ Md. Asgar Ali, Resident of Village-Surachhap Pipra, P.S.-Lauria, District-West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Anil Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections-341, 323, 308, 498A, 494, 504, 506, 34 of the Indian Penal Code.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to



petty family dispute. Except Section-308 of the Indian Penal Code, all other offences are 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 Complaint Case/F.I.R.

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 Chief Judicial Magistrate, Bettiah, West Champaran in connection with Lauria P.S. Case No. 348 of 2017.

(Sudhir Singh, J)

A.K.V./-

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