

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32175 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -HISUA District- NAWADA

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1. Subodh Yadav son of Ruplal Yadav, resident of Village- Murkatta, P.S. Hisua, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the informant : Mr. Jitendra Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 20-07-2018 Heard learned counsel for the petitioner, O.P. No. 2 and learned APP for the State.

The petitioner seeks bail in a case registered under Sections-341, 323, 498(A), 307, 504, 34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

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 is in custody since 21-01-2018 and has got no antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet has already been submitted in this case. The petitioner has falsely been implicated in the present case due to petty family dispute. There is no medical



examination report to support the allegations for constituting offence under Section-307 of the Indian Penal Code. Rest of the 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 and O.P. No. 2, 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 Chief Judicial Magistrate, Nawada in connection with Hisua P.S. Case No. 123 of 2017.

(Sudhir Singh, J)

A.K.V./-

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