

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50311 of 2018

Arising Out of PS. Case No.-16 Year-2017 Thana- MAHILA P.S. District- Patna

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Gopal Kumar Son of Ganesh Prasad Gupta resident of Mohalla - New Yarpur,
Janta Road (Upper of Jagdamba Vastralaya), Police Station - Gardanibagh,
District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Priti Kumari Wife of Gopal Kumar Daughter of Malwendra Nath residence of
Mohalla - House Chapra, P.S. - Town Thana Chapra, District - Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 498A, 323, 329, 509/34 of the Indian Penal Code and
¾ of 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 6.6.2018 and 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 for offence under Section 329 of I.P.C, 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, 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 Smt. Sarika Vahalia, Judicial Magistrate, 1st class, Patna in connection with Mahila P.S. case No.16 of 2017, G.R. case No.2241 of 2017.

(Sudhir Singh, J)

Narendra/-

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