

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.50615 of 2018**

Arising Out of PS.Case No. -21 Year- 2018 Thana -PURUSHOTTAMPUR District-  
WESTCHAMPARAN(BETTIAH)

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Upendra Mahto, son of Sri Ramjee Mahto, resident of Village- Madhuri,  
P.S. Purushottampur, District- West Champaran.

.... .... Petitioner

Versus

1. The State of Bihar.
2. Savita Devi, wife of Upendra Mahto and daughter of Sri Girdhari Mahto, resident of Village- Banjari, P.S.- Langari, District- Parsa (Nepal).

.... .... Opposite Parties

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**Appearance :**

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the State : Mr. Arun Kumar Singh -5, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**

**ORAL ORDER**

2      18-08-2018                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner is languishing in custody since  
05.04.2018 in a case for the offence registered under Sections  
498(A), 494 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.  
Charge sheet has been submitted in the present case. 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 counsel for the State, 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. Bettiah, West Champaran, in connection with Purushottampur P.S. Case No. 21 of 2018.

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**(Sudhir Singh, J)**

