

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.786 of 2018

Arising Out of PS.Case No. -862 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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Suman Prasad Son of Bhola Prasad @ Bhola Sao Resident of Village -
Panchmahala Sikahri Chak, P.S. Mokama, District - Patna.

.... Petitioner

Versus

1. The State of Bihar.
2. Chhoti Devi @ Shivani Wife of Suman Prasad Resident of Village -
Panch Mahala, P.S. Mokama, District - Patna, Resident of Village Mor,
P.S. Mokama, District - Patna. at present address Daughter of Sri
Jagdish Prasad

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ashok Kumar Kashyap, Advocate.
For the State : Mr. Akshay Lal Pandit, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-01-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The languishing in custody since 07.10.2017 in a case
for the offence registered under Sections 323, 406, 498(A) 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-
fulfillment 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 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. Barh, Patna, in connection with Complaint Case No. 862 (C) of 2015.

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(Sudhir Singh, J)

