

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7366 of 2018

Arising Out of PS. Case No.-795 Year-2016 Thana- KHAGARIA COMPALINT CASE
District- Khagaria

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Rakesh Kumar Thakur S/o Suresh Thakur , R/o Pasraha, P.S.- Pasraha,
District- Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Seema Devi W/o Rakesh Kumar Thakur D/o Subhunklal Thakur, R/o Pasraha,
P.S.- Pasraha , Distt.- Khagaria at present Thakur/Resident of Vishwkarma
Nagar Pakrail , P.S.- Maheshkhutt , District- Khagaria.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Manoj Kumar Pandey, Advocate
For the State1	:	Mr. RAM PRIYA SARAN SINGH, APP
For opposite party No.2	:	Mr. Shekhar Kumar Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-02-2018 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under Sections
498A, 494/34 of the Indian Penal Code and $\frac{3}{4}$ 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 19.11.2017 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. The



case is 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 learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the 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 S.D.J.M., Khagaria in connection with Complaint case No.795C of 2016.

(Sudhir Singh, J)

Narendra/-

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