

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4942 of 2018

Arising Out of PS. Case No.-80 Year-2017 Thana- MAHILA P.S District- Supaul

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Rudal Paswan S/o Satya Narain Paswan @ Dhokai Paswan, R/o Village-Sursar (Achra), P.S.- Fulkaha, District- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sohdari Devi, d/o- Yogendra Paswan, wife of Rudal Paswan, r/o- village Raniganj, P.s.- Birpur, District- Supaul.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Mr. SHYAM BIHARI SINGH

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 07-03-2018 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 448, 342, 307, 494, 504, 506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture and assault 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 31.10.2017 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. There is no medical 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 falsely been implicated in the present case due to petty family dispute. 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 F.I.R./complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Supaul in connection with Mahila P.S. Case No. 80/2017.

(Sudhir Singh, J)

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