

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29949 of 2018

Arising Out of PS.Case No. -438 Year- 2017 Thana -BEGUSARAI MUFFASIL District-
BEGUSARAI

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Nakul Mistri, S/o Ram Prakash Mistri, R/o Vill.- Mahesh Khoont, English
Tola, P.S.- Mahesh Khoont, District- Khagaria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ranjeet Kumar Singh, Advocate.

For the State : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
20.09.2017 in a case for the offence registered under Sections 341,
323, 307 and 498(A) of the IPC.

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. Allegations in respect to offence under Section 307 of the IPC are superficial in nature. No grievous injury is alleged to have been caused by the petitioner. Rests of the offences are 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. Begusarai, in connection with Muffassil (Lakho) P.S. Case No. 438 of 2017, G.R. No. 3508 of 2017.

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(Sudhir Singh, J)

