

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.30520 of 2018

Arising Out of PS.Case No. -35 Year- 2017 Thana -GARAUL District- VAISHALI(HAJIPUR)

=====

Birendra Kumar, son of Kamlu Ray, Resident of Village-Lodipur, Police
Station-Goraul, District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

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

For the State : Smt. Renu Kumari, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
05.03.2018 in a case for the offence registered under Sections 341,
323, 498(A), 313, 307/34 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. 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. There is no medical examination
report in respect of allegations made in respect of offences under



Sections 307 and 313 of the IPC. 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 Additional Chief Judicial Magistrate, 1st, Vaishali at Hajipur, in connection with Goraul P.S. Case No. 35 of 2017.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

