

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48760 of 2018

Arising Out of PS. Case No.-26 Year-2016 Thana- MAHILA P.S. District- Saran

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Amit Jaiswal, Son of Mritunjay Jaiswal, resident of Mohallah Alkapuri, Maunt Moto Gali, Police Station- Sukhdeo Nagar, District- Ranchi (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Jaiswal, W/o Amit Jaiswal, D/o Jay Prakash Prasad, at present address- Resident of Village- Jhauwan, P.S. Awatar Nagar Distt.- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Roy
For the Opposite Party/s : Mr. Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-08-2018 Counsel for the petitioner is permitted to make necessary correction in paragraph 1 of the application in course of the day.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 498A, 323, 379, 420, 120B of the Indian Penal Code and 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 04.05.2018. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet has been submitted in this case. The petitioner has falsely been implicated in the present case due to petty family dispute. On the earlier occasion also, the victim had instituted a case for similar offence against the petitioner and his family members. 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, it is submitted that the petitioner is named in the complaint case/F.I.R.

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., Saran at Chapra in connection with Mahila Saran P.S. case No.26 of 2016, corresponding to G.R. No.3697 of 2016.

(Sudhir Singh, J)

Narendra/-

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