

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49670 of 2018

Arising Out of PS.Case No. -1629 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Sunil Kumar S/o Baleshwar Kurmi, R/o Vill.- Tuturkhi Mathia, P.S.-
Konch, Distt.- Gaya, At present Residing at Pasighat Kumarjori, P.O.-
Malkera, P.S.- Katrash, District- Dhanbad.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Babita Kumari W/o Sunil Kumar D/o Late Moti Lal Prasad, At present
residing at Power House Colony, Konhars Ghat road, Hajipur, P.S.- Town
Hajipur, Distt.- Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mahendra Thakur

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections-498A, 307, 323, 384 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-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28-03-2018 and has got no criminal
antecedent. There is no allegation of tampering of witnesses
against the petitioner. The petitioner has falsely been implicated in



the present case due to petty family dispute. There is no medical examination report with regard to the offence under Section-307 of the Indian Penal Code. Rest of the offences are 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 learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1629 of 2016.

(Sudhir Singh, J)

A.K.V./-

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