

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36107 of 2018

Arising Out of PS. Case No.-797 Year-2015 Thana- COMPLAINT CASE District- Jamui

Raj Kumar Son of Shivnandan Prasad Yadav Resident of Village- Bhantekthi,
Police Station- Madhepura, in the district of Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Kumari Swati Anupam W/o Raj Kumar, D/o Subhash Chandra Roy Resident of Naya Tola Behind of Bihari Vetnary Hospital, Police Station & District- Jamui.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Shekhar
For the Opposite Party/s : Smt. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-08-2018 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 498(A), 323, 504, 307, 120B/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 15.5.2018 and has got no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. 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 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 S.D.J.M., Jamui in connection with Complaint Case No. 797(C) of 2015.

(Sudhir Singh, J)

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