

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35943 of 2018

Arising Out of PS. Case No.-24 Year-2018 Thana- BAKHTIARPUR District- Saharsa

Md. Umar Farukh @ Md. Umar Faruk, Son of Eanul Hak, resident of Village- Hushanchak, P.S.- Bakhtiyarpur, District- Saharsa.

... .. Petitioner/s

Versus

1. State Of Bihar.
2. Chandni Khatun, D/o. Md. Shalauddin, Resident of Village- Hushanchak, P.S.- Simri Bakhtiyarpur, District- Sahrsa.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Raj Kumar Sinha
For the Opposite Party/s : Mr. Nand Kishore Pd

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 10-07-2018 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 341, 323, 379, 498(A)/504, 506/34 of the Indian Penal Code and Sections 3/4 of the 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 25.01.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been



submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. 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 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 Chief Judicial Magistrate, Saharsa in connection with Bakhtiarpur P.S. Case No. 24 of 2018.

(Sudhir Singh, J)

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