

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39302 of 2018

Arising Out of PS.Case No. -77 Year- 2018 Thana -PATORI District- SAMASTIPUR

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Binod Rai, S/o Basudev Rai, R/o Vill.- Enayatpur Dhamoun, P.S.- Patory,
District- Samastipur.

.... Petitioner

Versus

1. The State of Bihar.
2. Ahilya Devi W/o Binod Rai and D/o Prabhu Rai, R/o Vill.- Rampur
Khairi, P.S.- Desari , District- Vaishali.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Jitendra Narain Sinha, Advocate.
For the State : Mr. Awadhesh Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
02.04.2018 in a case for the offence registered under Sections 341,
323, 307 and 498(A)/34 of the IPC.

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.
Charge sheet has been submitted in the present case. 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. Except Section 307 of the IPC, all 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 Chief Judicial Magistrate, Samastipur, in connection with Patory P.S. Case No. 77 of 2018.

U.K./Abhijeet

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(Sudhir Singh, J)

