

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34627 of 2018

Arising Out of PS. Case No.-278 Year-2018 Thana- BIHTA District- Patna

Binay Krishna, S/o Late Rameshwar Yadav, Resident of Village- Khedalpura,
P.S.- Bihra, District- Patna. at present Mohalla Kankarbag Indara Nagar Ward
No.2 P.S.- Kankarbag, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar

For the Opposite Party/s : Mr. Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 19-06-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

The petitioner seeks bail in a case instituted for the
offences under Sections 341, 504, 498(A) and 307 of the Indian
Penal Code.

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 4.4.2018. There is no allegation
of tampering of witnesses alleged against the petitioner. The
victim and her family members are in the habit of instituting
cases for similar offence against the petitioner and his family



members. 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 A.C.J.M. Danapur, Patna in connection with Bihta P.S. Case No. 278 of 2018.

(Sudhir Singh, J)

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