

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39730 of 2018

Arising Out of PS.Case No. -11 Year- 2018 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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Gahwar Ali @ Rinku, S/o Late Ashraf Ali, R/o Mohalla- Ujjain Tola, Ward
No. 34, P.S.- Bettiah Town, District- West Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Umesh Chandra Verma, Advocate.

For the Informant : Mr. Bimlesh Kumar Pandey, Advocate.

For the State : Mr. Sanjay Kumar Pandey, A.P.P.-222.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2018 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner is languishing in custody since
29.04.2018 in a case for the offence registered under Sections
498(A), 447, 448, 323, 324, 307/34 of the IPC and Section 3/4 of
the D. P. Act.

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 only under



Sections 498(A), 447, 448, 323 and 324/34 of the IPC. 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. The petitioner is brother-in-law of the victim. He is separate in mess and property from the husband of the victim. The case is 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 counsels for the State and informant, it has been submitted that the petitioner is named in the 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 the learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Town P.S. Case No. 11 of 2018.

(Sudhir Singh, J)

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