

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41904 of 2018

Arising Out of PS. Case No.-72 Year-2015 Thana- SHEKHPURA COMPLAINT CASE
District- Sheikhpura

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Ajay Kumar Dhari son of Gorelal Dhari, resident of Village- Darway Bhadaur, P.S. Darway Bhadaur, District Patna, at present Mohalla Godhar No. 9, P.S. Kanduaadhi, District- Dhanbad (Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi, wife of Ajay Kumar Dhari, Daughter of Chandeshwar Ram, resident of Village- Darway Bhadaur, P.S. Darway Bhadaur, District Patna, Mohalla Godhar No. 9, P.S. Kanduaadhi, District- Dhanbad (Jharkhand) at present Ambedkar Nagar, Ghorghatta Budhauli, P.S. Sheikhpura, District Sheikhpura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Biresh Kumar Sinha
For the Opposite Party/s : Mr. Sri Parmeshwar Mehta

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-07-2018 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 323, 379, 307, 498A/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act but cognizance has been taken under sections 323, 498(A)/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 14.4.2018 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 S.D.J.M., Sheikhpura in connection with Complaint Case No. 72C/2015.

(Sudhir Singh, J)

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