

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52242 of 2018

Arising Out of PS. Case No.-818 Year-2013 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Birendra Sah, S/o Achhelal Sah, resident of Village- Barwa Khurd, P.S.-
Kundwa Chainpur, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Nirmala Devi, W/o Birendra Sah, Resident of Village- Barwa Khurd @
Barwa, P.S.- Kundwa Chainpur, District- East Champaran presently resident
of Village- Bhitharwa, P.S.- Patahi, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh
For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 04-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 498A of the Indian Penal Code.

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 6.6.2018 and has got no
criminal antecedent. There is no allegation of tampering of
witnesses alleged against the petitioner. 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., Sikrahana, Motihari in connection with Complaint Case No. 818/2013 (Tr. No. 1326 of 2013).

(Sudhir Singh, J)

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