

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8243 of 2019

Arising Out of PS. Case No.-09 Year-2018 Thana- BHADHWAR District- Gaya

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TUN PRASAD, s/o- Late Vipat Mahto resident of village- Barwadih, P.S.-
Bhadwar, Distt.- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Hemanti Devi, wife of Tun Prasad resident of village- Barwadhi, P.S.-
Bhadwar, Distt. Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.S. Jamil Akhtar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2019 Heard learned counsel for the petitioner and learned
APP for the State. None appears on behalf of O.P. No. 2.

The petitioner seeks bail in a case instituted for the
offences under Section 498A 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 13.6.2018 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, the provisional bail granted under order dated 13.2.2019 in connection with Bhadwar P.S. Case No. 9 of 2018 to the satisfaction of learned Chief Judicial Magistrate, Gaya, is hereby confirmed.

(Sudhir Singh, J)

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