

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7343 of 2019

Arising Out of PS. Case No.-18 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

GANESH KUMAR S/o Bhola Chaudhary R/o Shankarbag (Pankaj Market),
P.S- Town, District-Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Anjali Devi D/o Lalbabu Choudhary R/o 44A, vediya Danga, 2nd lane, P.O.-
Tilanjala, Town and Dist.- Kolkatta (West Bangal)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1
For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered under
Sections 323, 313, 498A of the Indian Penal Code and $\frac{3}{4}$ of
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture
upon the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses alleged against the petitioner. The
petitioner has been allowed bail provisionally by order dated 08-
02-2019. The petitioner is in custody since 24-11-2018. The



petitioner has falsely been implicated in the present case due to petty family dispute. Except the offence u/S 313 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 Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, the provisional bail granted to the petitioner by order dated 08-02-2019 is hereby confirmed.

(Sudhir Singh, J)

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