

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9277 of 2019

Arising Out of PS. Case No.-548 Year-2015 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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SAKET KUMAR SINGH Son of Devendra Prasad Singh Resident of Village-
Shijhatt, P.S.- Dhoraiya, District - Banka at present residing in the Mohalla-
Jogsar, Gonar Lane, P.S.- Adampur Dist-Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR AND ANR Bihar
2. Rashmi Singh Wife of Saket Kumar Singh, D/o- Vijay Singh Resident of
Mohalla-West Lohanipur, Parmeshwar Singh Lane, P.S.- Kadamkuan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhirendra Nath Jha
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2019 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for O.P. No. 2.

The petitioner seeks bail in a case instituted for the
offences under Sections 498A, 504, 506 and 34 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 27.7.2018. There is no
allegation of tampering of witnesses alleged against the
petitioner. Charge-sheet has been submitted in this case. The



matter was referred to the mediation centre. As per report of the Mediator, the mediation has failed. The petitioner has falsely been implicated in the present case due to petty family dispute. On the earlier occasion also, the victim and her family members have instituted case for similar offence against the petitioner and his family members. 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 vide order dated 18.02.2019 in connection with Kotwali (Adampur) P.S. Case No. 548 of 2015 to the satisfaction of learned S.D.J.M., Patna, is hereby confirmed.

(Sudhir Singh, J)

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