

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13193 of 2019**

Arising Out of PS. Case No.-96 Year-2018 Thana- JANTA BAZAR District- Saran

ADARSH KUMAR, Male, aged about 28 years, Son of Shri Ashok Prasad,
Resident of village Janta Bazar, P.S.-Janta Bazar, Dist-Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Anant Kumar Bhaskar, Advocate.
For the Opposite Party : Mr.Sanjay Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-04-2019 The case diary has not been received in the present
case. In absence of case diary, order is being passed.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
27.10.2018 in a case for the offence registered under Sections
323, 498(A), 313, 504 and 379/34 of the IPC.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to non-
fulfilment of demand of dowry. It is further stated that the
victim became pregnant four times, but the co-accused and her
husband petitioner forced her to abort the child on all four
occasions.

It has been submitted by learned counsel for the
petitioner that the petitioner has got no criminal antecedent.



Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is the husband of the victim. There is no medical examination report in respect of offence under Section 313 of the I.P.C. Rests of the offences are triable by the Magistrate. The petitioner has further 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 learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

Considering the aforesaid facts and circumstances, let 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 the learned A.C.J.M.- V, Saran at Chapra, in connection with Janta Bazar P.S. Case No. 96/2018.

U.K./-

(Sudhir Singh, J)

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