

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50081 of 2019

Arising Out of PS. Case No.-24 Year-2013 Thana- BHANGHA District- West Champaran

NAZARUL MIYA @ NAJRUL MIAN, aged about 36 years, Male, Son of Nirhoda Miya @ Nurhoda Miya, Resident of Village - Kotawa, P.S.- Bhangaha, Distt - West Champaran.

... .. Petitioner

Versus

1. The State of Bihar.
2. Salmuniya Khatoon, aged about 34 years, Female, Wife of Nazarul Miya, D/o Mokin Miya, Resident of Village - Sakraul, P.S.- Inarwa, Distt - West Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Sanjeev Kumar, Advocate.
For the State	:	Mr. Gauri Shankar Gupta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-08-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 15.05.2019 in a case for the offence registered under Sections 498(A), 341, 323/34 of the IPC and $\frac{3}{4}$ of the D. P. Act.

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 has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case due to petty family dispute. Charge sheet has been submitted in the present case. There is no allegation of



tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The informant is in habit of instituting similar cases against the petitioner and his family members. The case is 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.

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 C.J.M. Bettiah, West Champaran, in connection with Bhagahan P.S. Case No. 24 of 2013.

(Sudhir Singh, J)

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