

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.49556 of 2019**

Arising Out of PS. Case No.-857 Year-2018 Thana- SITAMARHI COMPLAINT CASE  
District- Sitamarhi

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Sitaram Mahto S/o Jay Ram Mahto Resident of Village- Kushahar, P.S.-  
Tariyani, Dist.- Sheohar.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sunita Devi D/o Gulten Mahto Presently Residing Village- Hajor Ganj  
Malahi P.- Mojorganj, Dist- Sitamarhi.

... .. Opposite Party/s

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**Appearance :**

|                         |   |                                |
|-------------------------|---|--------------------------------|
| For the Petitioner      | : | Mr. Sanjay Kumar, Advocate     |
| For the State           | : | Dr. Mrityunjaya Kr.Gautam, APP |
| For opposite party No.2 | : | Mr. Devendra Kumar, Advocate   |

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      08-08-2019                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the opposite party No.2.

The petitioner seeks bail in a case registered under Section  
498A/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 30.05.2019 and has got no  
criminal antecedent. There is no allegation of tampering of  
witnesses alleged against the petitioner. 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 and learned counsel for the opposite party No.2, it is submitted that the petitioner is named in the complaint case/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 learned S.D.J.M. Sadar, Sitamarhi in connection with Complaint case No.857 of 2018.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

**(Sudhir Singh, J)**

Narendra/-

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