

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61318 of 2019

Arising Out of PS. Case No.-370 Year-2019 Thana- PHULWARISHARIF District- Patna

ASARFI RAJ Son of Krishna Rai Resident of Village - Bhusoula Danapur
Chak, P.S.- Phulwari Sharif, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Yadav
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the offences under Sections 498(A) of the Indian Penal Code 37(c) of Bihar Prohibition and Excise Act.

Allegation against the petitioner is of committing torture upon the victim due to non-fulfilment of demand of dowry in drunken state.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.4.2019 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case due to petty family dispute. The



petitioner is alleged to have misbehaved with his wife in drunken state. 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.*** There is no recovery of any incriminating articles from the possession of the petitioner.

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, it is directed that 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 Special Judge, Excise Act, Patna in connection with Phulwarisharif P.S. Case No. 370 of 2019, Special Case No. 3773 of 2019.

(Sudhir Singh, J)

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