

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22424 of 2020

Arising Out of PS. Case No.-321 Year-2019 Thana- PATAHI District- East Champaran

MD. NOOR ALAM S/o Yasin Resident of Village- Bokane, P.S.- Patahi,
Distt- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-09-2020 Due to COVID-19 Pandemic, the matter is being taken up by
way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four weeks
from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
341, 323, 328, 307, 498A and 34 of the Indian Penal Code and 3/4 of
Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon
the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the



petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 11-02-2020. Charge sheet/Prosecution report in this case has already been submitted. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim. From perusal of the medical report of the victim, it appears that there is no injury on her body. The medical report of the victim does not support the allegation for the offence under Section 307 of the Indian Penal Code. Except Sections 328 & 307 of the Indian Penal Code, rest offences are triable by Magistrate.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-VIIIth, Motihari, East Champaran in connection with Patahi P.S. Case No. 321 of 2019.

(Sudhir Singh, J)

A.K.V.//-

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