

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56622 of 2015

Arising Out of PS.Case No. -174 Year- 2015 Thana -JALE District- DARBHANGA

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1. Tanweer Akhtar
2. Md. Shahzada@Sahzada Both Sons of late Md. Moinuddin Resident of
Village- Shtrikpur, P.s Nanpur, District Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mohammad Sufyan

For the Opposite Party/s : Mr. Ajay Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-12-2015 Heard learned counsels for the petitioners and the State.

The petitioner no.1 being the husband of the informant and petitioner no.2 being the brother of petitioner no.1 are languishing in jail since 17.10.2015 in a case registered for the offences punishable under Sections 498A, 341, 323, 448 and 504/34 of the Indian Penal Code and Sections 25(1-B)a, 26, 35 and 37 of the Arms Act.

The basic accusation is of torture for non-fulfillment of the dowry demand. It is also alleged that petitioner no.1 came and made assault to the informant and her family members, subsequently two cartridges were recovered from the possession of petitioner no.2 when both of them were handed over the police.

It is submitted by learned counsel for the petitioners that

it was the informant who deserted petitioner no.1 and the informant's side made assault to the petitioners as they were produced before the police station with two cartridges when injury was found on the persons of petitioners. Moreover, the petitioner no.1 is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 14 of the petition, which reads as follows:-

“That the petitioner no.1 is the husband of the informant as has all love and affection with his wife and child and ready to keep them.”

Considering the nature of accusation and present stand of the petitioner no.1, let the above named petitioners be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Darbhanga in connection with Jalley P.S. Case No. 174 of 2015.

(Dinesh Kumar Singh, J)

Amrendra/-

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