

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26952 of 2015

Arising Out of PS.Case No. -167 Year- 2014 Thana -THAKURGANJ District- KISANGANJ

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Afaq, S/o-Raham Ali, resident of Village-Bhogdabar, P.S.- Thakurganj,
District-Kishanganj. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Sunil Kumar Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

4 13-10-2015 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is in custody in connection with
Thakurganj P.S. Case No. 167 of 2014 registered for the offences
punishable under Sections 498A and 365/34 of the Indian Penal
Code.

Allegedly, Johra Khatoon, the daughter of the informant
was married with the petitioner one year ago and thereafter she
was being tortured by the children of the first wife of the
petitioner. After Panchayat, the petitioner took away the daughter
of the informant, who was pregnant to Delhi and from there she is
traceless.

Submission is of false implication and that without any
legal and cogent evidence chargesheet has been submitted under
Sections 498A and 365 of the Indian Penal Code against the

petitioner. As a matter of fact, the petitioner is aged about 60 years and his wife Johra Khatoon is aged about 30 years and after some time she does not want to live with the petitioner and she became traceless from Aligarh Station and without any legal and cogent evidence, the petitioner is suffering in custody since 23.01.2015 and now the chargesheet has already been submitted.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kishangaj in connection with Thakurganj P.S. Case No. 167 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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