

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29303 of 2014

Arising Out of PS.Case No. -2369 Year- 2012 Thana -COMPLAINT CASE District- ARRARIA

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Md. Zubair @ Md. Juber S/o Aiyub @ Tetan Resident of Village
Mahalgaon, Police Station Mahalgaon (Jokihat), District Araria.

.... Petitioner

Versus

1. The State of Bihar.
2. Bibi Musarrat, D/o Habib, resident of Village-Kursail Mahalgaon, P.S.-
Mahalgaon, Distt.-Araria.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Naushad Uzzoha, Advocate

For the Opposite Party No.1: Mr. Sanjay Kumar Tiwary-I, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA

ORAL ORDER

3 07-01-2015

Heard both sides.

The petitioner, Md. Zubair @ Md. Juber, seeks regular bail in Complaint Case No.2369 of 2012, registered under Sections 147, 323, 341 and 498A of the Indian Penal Code.

The wife made allegation that Md. Zubair @ Md. Juber committed rape with her and she filed Complaint Case No.1150C of 2002. There was a compromise thereafter. The petitioner was married to the complainant. She further alleged that her husband started subjecting her to physical and mental torture due to non-fulfillment of demand of dowry.

It appears that the complaint petition was filed in the year 2012. The complainant lived with her husband for ten years, but she did not make any complain about the ill-treatment at the

hands of her husband. Notice was issued to the complainant, but the complainant did not appear. Petitioner is in jail since 22.05.2014. Petitioner has already remained in jail for seven and half months.

Considering the facts aforesaid and the nature of allegation made against the petitioner, his prayer for bail is allowed.

The petitioner, above named, is directed to 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 Sub Divisional Judicial Magistrate, Araria in connection with Complaint Case No.2369 of 2012.

(Prabhat Kumar Jha, J)

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