

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.24835 of 2016

Arising Out of PS.Case No. -82 Year- 2013 Thana -SONBERSA District- SITAMARHI

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Md. Mansoor, son of Md. Aajul, @ Md. Vajul, resident of Village-
Loharvar, P.S.- Sonbarsa, District- Sitamarhi. Petitioner
Versus

1. The State of Bihar.

2. Mustaqeema Khatoon W/o Md. Mansoor, presently at Village
Runnisaidpur, Tola Tijarak Ward No. 3, P.S.-Raunnisaidpur, District-
Sitamarhi. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate
For the Opposite Party/s : Mr. Mustaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 07-06-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Sonbarsa P.S. Case No. 82 of 2013 registered under Sections
323, 379, 498-A, 504 and 341 of the Indian Penal Code, Section
3 & 4 of the Dowry Prohibition Act.

It has been contended that on the basis of
compromise between the parties, the petitioner was earlier
granted provisional bail upon his surrender by the Chief Judicial
Magistrate, Sitamarhi vide order dated 27.06.2013. The said
provisional bail was being extended from time to time till 3rd
April, 2014. On 3rd April, 2014, an application was filed on
behalf of the petitioner before the learned Magistrate under

Section 317 of the Code of Criminal Procedure for dispensing with the personal attendance. The application of the petitioner was opposed by the complainant of the case. The learned Magistrate while rejecting the application filed under Section 317 of the Code of Criminal Procedure also rejected the provisional bail granted to the petitioner vide order dated 3rd April, 2014 itself.

It has been contended by the learned counsel for the petitioner that by now the petitioner has remained in custody for about three months. He has submitted that there is no truth behind the allegation made in the FIR based on a complaint. The case has been filed by the informant of the case on account of incompatibility.

Be that as it may, regard being had to the nature of allegation as well as other facts and circumstances of the case, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Sonbarsa P.S. Case No. 82 of 2013.

(Ashwani Kumar Singh, J.)

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