

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31488 of 2016

Arising Out of PS.Case No. -15 Year- 2016 Thana -MAHILA P.S. District- ARRARIA

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Md. Fazle Arab @ Babloo s/o- Md. Halim, Resident of Village- Jhamta,
P.S- Tarabari, District- Araria.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the daughter of the informant is languishing in custody since 28.3.2016 in a case registered for the offences punishable under sections 307, 498A, 323, 342, 504, 506/34 of the Indian Penal Code and 3/4 of the dowry Prohibition Act.

Prosecution case is that the daughter of the informant Sarbati Khatoon was married with the petitioner before three years and a female child was born from the wedlock. The accused persons including the petitioner started assaulting the daughter of the informant and torturing her for non-fulfillment of dowry demands. It is also alleged that the petitioner also made an attempt to kill the daughter of the informant by confining her in the room and ultimately she was driven out from the matrimonial house.

It is submitted by the learned counsel for the petitioner that even assuming the accusation no offence under section 307 of the Indian Penal Code is made out as there is no injury report on record and the investigation has already concluded. It is further submitted that the petitioner is still ready to keep the daughter of the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 12 of this petition.

Considering the fact that the investigation has already concluded and the present stand of the petitioner as stipulated in paragraph 12 of this petition, let the petitioner, abovenamed, 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 the Sub-divisional Judicial Magistrate, Araria in Araria (Mahila) P.S.Case No. 15/2016.

(Dinesh Kumar Singh, J)

Surendra/-

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