

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26188 of 2016

Arising Out of PS.Case No. -70 Year- 2016 Thana -PHULWARI District- PATNA

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Adil Nayyar Son of Md. Shibali Resident of Mohalla- Karimganj, Belgali,
PS Civil Lines, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Shagufta khatoon Daughter of Amir Alam Resident of Kudu,
Compound, Koeri Tola, Dariyapur, PS Pirbahoren District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar
For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 29-06-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is languishing in jail since 08.03.2016 in a case registered for the offences punishable under Sections 498A, 307, 506 and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant claims to have married with the petitioner on 22.09.2010 according to Muslim rites and rituals and subsequently gave birth of a female child. The in-laws family started inflicting torture after birth of female child and demanded dowry and also driven out from the matrimonial house. It is further alleged that on 31.01.2016 the

husband of the informant called her at Imarat Sariya for mediation where he forcefully divorced her.

It is submitted by learned counsel for the petitioner that the petitioner has given divorce as per the Muslim rites and has also returned Dain Mehar. The investigation has already concluded.

It is submitted by learned counsel for the informant that Dain Mehar has not been given hence the divorce has not been effected, hence the informant is ready to reside with the petitioner.

Considering the nature of accusation and the fact that the investigation has already concluded, let the above named petitioner be released on bail, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned JM, 1st Class, Patna in connection with Phulwarisharif P.S. Case No. 70 of 2016.

(Dinesh Kumar Singh, J)

Amrendra/-

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