

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10054 of 2017

Arising Out of PS.Case No. -2283 Year- 2013 Thana -SARAN COMPLAINT CASE District-
SARAN

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Amtaz Ali, son of Kudrat Ali, resident of village- Bhagwanpur, P.O.-
Sutihar, P.S.-Dernee, District-Saran (Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Arun Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 01-03-2017 Heard learned counsel for the petitioner and learned
APP appearing on behalf of the State.

The petitioner seeks regular bail in connection with
Complaint Case No. 2283 (C)/2013 registered for the offences
punishable under Sections 498A, 323, 354, 379 of the Indian
Penal Code and Section 3 /4 of the Dowry Prohibition Act.

The complainant in her complaint petition has stated
that she was married with this petitioner on 31.05.2013. After
marriage, her husband and in-laws started demanding a motor-
cycle and cash amount of Rs. 50,000/-. Her husband and in-
laws started torturing her on account of non fulfillment of said
demand. She has further alleged that on 26.07.2016, her
husband and in-laws tortured and even attempted to kill her by
sprinkling kerosene oil.



Learned counsel for the petitioner submits that he is already ready and willing to keep the complainant with full honour and dignity. It is the complainant who is not willing to live at the place of this petitioner and she is in a habit of leaving of her matrimonial house and levelling false allegation. The allegation of torture and assault is not specific. This petitioner was earlier allowed provisional anticipatory bail vide order dated 16.10.2015 in Criminal Miscellaneous No. 49183 of 2015 passed by another co-ordinate Bench of this Court with a direction to settle the matter and he was ready to keep the complainant and maintain her with full love and affection. The petitioner never misused the privilege of provisional bail and made his best effort to settle the differences but in vain on account of rigid attitude of the complainant.

Learned APP for the State, on the other hand, opposed the prayer of bail.

From the complaint petition, it appears that the marriage of complainant took place on 31.05.2013 and she has alleged torture since the date of marriage. The allegation of torture appears omnibus and in spite of the efforts made by the petitioner, she did not turn up to the house of the petitioner. The petitioner is in custody since 06.01.2017.



Considering the aforesaid facts and circumstances stated above, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the each amount to the satisfaction of the learned Sub Divisional Judicial Magistrate, Saran in connection with Trial No. 1273 of 2017 arising out of Complaint Case No. 2283 of 2013.

(Sanjay Kumar, J)

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