

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27717 of 2017

Arising Out of PS.Case No. -125 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Md. Hefaz S/o Zulfakar Ali Bhuttu, Resident of Village-Darsana, Ward,
No.-1, P.S. Jokihat, District-Araria.

.... Petitioner/s

Versus

1. The State of Bihar
2. Bibi Rehana Khatoon W/o-Md. Hefaz, D/o-Ashraf Ali, Resident of
Village-Darsana, P.S. Jokihat, District-Araria

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 27-07-2017 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner is in judicial custody since 16.04.2017 in connection with Jokihat P.S.Case No. 125 of 2017 for the offences alleged under Sections 341, 323, 498A, 307, 504, 506, 34 of the Indian Penal Code and 3 / 4 of Dowry Prohibition Act.

The prosecution case, as lodged by the informant Bibi Rehana Khatoon, is that she was subjected to torture by her husband and her in-laws for non fulfilment of demand of dowry and the petitioner along with mother-in-law tried to sprinkle kerosene oil in order to burn her but she managed to escape to her parental house. Even in parental house, the petitioner and mother-in-law came and assaulted the family members of the informant.

It has been submitted by the learned counsel for the petitioner



that he is innocent and no demand of dowry has been made and in fact informant's father tried to assault the mother of the petitioner for which Jokihat P.S.Case No. 126 of 2017 has been lodged against the informant's side. He further submits that charge sheet has already been submitted , hence there is no chance of tampering with the prosecution witnesses.

However, learned A.P.P., opposes the prayer for bail.

Be that as it may, let above named petitioner 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 A.C.J.M., II Araria in connection with Jokihat P.S.Case No. 125 of 2017,subject to the condition that both the bailors would be close relative of the petitioner with sufficient immovable property within the jurisdiction of the concerned police station/court, who will file an affidavit stating their relationship with the petitioner and the petitioner will appear before the court below during trial on each and every date and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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