

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35797 of 2017

Arising Out of PS.Case No. -1301 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ
=====

1. MD. AZAM ALAM @ MD. AZAM, son of Jahiruddin, resident of Village Domohani, P.S. Bahadurganj, District- Kishanganj.

.... Petitioner

Versus

1. The State of Bihar.

2. Sahista Begam, daughter of Jhari Baux @ Anwar Alam, resident of Village Domohani, P.S. Bahadurganj, District- Kishanganj.

.... Opposite Parties
=====

Appearance :

For the Petitioner/s : Mr. Durga Nand Jha

For the Opposite Party/s : Smt Renu Kumari
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case instituted under Sections 323, 504, 384, 498(A) and 120(B) of the Indian Penal Code but cognizance has been taken only under Section 498A of the Indian Penal Code.

The allegation against the petitioner is of committing torture upon the victim due to non-fulfillment of the demand of dowry.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.06.2017. The petitioner has got no criminal antecedent. There is no allegation of tampering of



witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The case is triable by the Magistrate. Due to petty family dispute, the present case has been instituted against the petitioner. The petitioner has further relied upon the judgment of this court, in the case of ***Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.***

On behalf of the state, it has been submitted that the petitioner is named in the Complaint Case.

Considering the aforesaid facts and circumstances, let the petitioner above named, 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 learned S.D.J.M., Kishanganj, in connection with Complaint Case No.1301C of 2015.

(Sudhir Singh, J)

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