

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48385 of 2017

Arising Out of PS.Case No. -1063 Year- 2015 Thana -COMPLAINT CASE District- KISANGANJ
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1. Mushfique Alam, Son of Abdul Mannan, Resident of Village- Lohagara,
Police Station- Korhobari, in the district of Kishanganj.

.... Petitioner

Versus

1. The State of Bihar.
2. Husne Ara, Wife of Mushfique Alam, Daughter of Maqbol Husain,
Resident of Village- Lohagara, Police Station- Korhobari, in the district of
Kishanganj.

.... Opposite Parties
=====

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Mustaque Alam
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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case instituted under
Section 498(A) 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 20.07.2017. 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.1063C of 2015.

(Sudhir Singh, J)

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