

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48508 of 2017

Arising Out of PS.Case No. -3389 Year- 2005 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Sarfaraj Ahmad, Son of Late Ahmad Hussain, Resident of Village-
Gopali Chowk, P.S.- Ara Town, District- Bhojpur (Ara).

.... Petitioner

Versus

1. The State of Bihar.
2. Nazma Khatoon @ Garima, Wife of Sarfaraj Ahmad, D/p Suren Kumar
Kesari, Resident of Village- Gopali Chowk, P.S.- Town, District- Bhojpur
(Ara). a/p C/o Sri Radha Krishna Singh, Resident Dumahla Gardanigh,
P.S.- Gardanibagh, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kumar Rajeev

For the Opposite Party/s : Mr. Kumar Virendra Narayan

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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
Sections 406, 498(A) of the Indian Penal Code and ¾ of D.P. Act.

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 14.08.2017. 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., Patna, in connection with Complaint case No.3389(C) of 2005.

(Sudhir Singh, J)

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