

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13589 of 2017

Arising Out of PS.Case No. -267 Year- 2016 Thana -PIRBAHOR District- PATNA

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Md. Tanwirul Quamar @ Tanwirul Quamar, Son of Late Md. Sulaiman, Resident of village+Post- Haiderganj Karah, P.S. Silao, District- Nalanda, presently residing as tenant of Md. Hameed Khan, Mehboob Khan Tola, P.S. Purnea, District-Purnea.

.... Petitioner

Versus

1. The State of Bihar,
2. Hena Parween @ Hera Parween, D/o Late Waasim, Resident of Old Coffee House Lane, P.S. Pirbahore, District-Patna.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa

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

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

7 28-07-2017 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Pirbahore P.S. Case no. 267 of 2016, registered under Sections 341, 323 and 498-A of the Indian Penal Code and Section 3, 4 of the Dowry Prohibition Act.

The accusation is that remarriage of the informant was performed with this petitioner. The petitioner kept the informant two months' properly, thereafter, she was being tortured for demand of Rs. 5 Lakhs. On 18.09.2016, petitioner assaulted his foster daughter and she was accompanied by the petitioner at Patna, where he stayed at Sasural of his sister in mohalla Sabjibagh and she was also assaulted there by this petitioner.



Learned counsel for the petitioner submits that admittedly, the petitioner performed his re-marriage with the informant, whose marriage was also performed earlier with other person and she had a daughter to her first husband, but due to some misunderstanding the present case has been lodged. Further submission is that while it is alleged in the F.I.R. that she was assaulted by this petitioner in the night of 19.09.2016, but from perusal of C.D.R. it was detected that during 18.09.2016 to 22.09.2016 the petitioner was at Nalanda in his native village due to illness of his mother.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 267 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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