

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20538 of 2018

Arising Out of PS. Case No.-103 Year-2016 Thana- MAHILA P.S District- Supaul

Md. Afjail Hussain @ Raja Babu @ Afjal Hussain S/o Md. Rafique Alam ,
R/o Village- Piprahi, P.S.- Raghapur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha
For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-07-2018 It has been submitted on behalf of the petitioner that earlier application for bail with withdrawn due to indvertent mistake on the part of the deponent of the said application.

Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 498A, 323, 448, 313, 504, 506, 307/34 of the Indian Penal Code and ³/₄ of Dowry Prohibition Act, but cognizance has been taken under Sections 498A, 323, 448, 504, 506/34 of the I.P.C..

Allegation against the petitioner is of committing torture and assault upon the victim due to non-fulfilment of demand of dowry.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 30.10.2017. There is no allegation of tampering of witnesses alleged against the petitioner. Charge sheet has been submitted in this case. The petitioner has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul Mahila P.S. case No.103 of 2016.

(Sudhir Singh, J)

Narendra/-

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