

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21442 of 2018

Arising Out of PS. Case No.-79 Year-2014 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Md. Muzaffar S/o Alauddin resident of village - Bardaha, P.S. Jamalpur,
District – Darbhanga. Petitioner/s

Versus

1. The State of Bihar.
2. Ibrana Khatoon W/o Md. Muzaffar resident of village - Bardaha, P.S. Jamalpur, District - Darbhanga. At present Ibrana Khatoon, D/o Md. Naimuddin, village - Bardaha, P.S. - Jamalpur, District - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar
For the Opposite Party/s : Mr. . Ansarul Haque

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 11-04-2018 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party No. 2.

The petitioner seeks bail in a case instituted for the offences under Sections 323, 406, 341, 498A, 307, 379, 504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

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 03.01.2018 and 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 due to petty family dispute. There is no medical examination report to support the allegations for constituting offence under Section 307 of the Indian Penal Code. Rest of the offences are 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 F.I.R/complaint case.

Considering the aforesaid facts and circumstances, it is directed that 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 learned S.D.J.M., Benipur, Dharbhanga in connection with C.R. No. 79/2014.

If so advised, the Opposite Party No. 2 may approach the Family Court of competent jurisdiction for redressal of her grievances, if any.

(Sudhir Singh, J)

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