

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.12948 of 2018

Arising Out of PS.Case No. -81 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

=====

MD. AZAHAR ALI @ AZHAR ALI, S/o Md. Jalaluddin Ansari @ Abib Ali, R/o Village-Bhagwanpur Bakri, P.S. Baruraj, Distt.-Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner : Mr. Shashi Bhushan Kumar, Advocate.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-03-2018 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no. 2.

The petitioner is languishing in custody since 16.08.2017 in a case for the offence registered under Sections 323, 379, 504, 498(A)/34 of the IPC and ¾ of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the



petitioner. 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 further 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 learned counsels for the State and opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R/ complaint case.

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 the learned C.J.M. Muzaffarpur, in connection with Baruraj P.S. Case No. 81 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

The victim will be at liberty to approach the Family Court, if so advised, for redressal of her grievance, if any.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

