

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31660 of 2018

Arising Out of PS.Case No. -2047 Year- 2011 Thana -SARAN COMPLAINT CASE District-
SARAN

=====

1. Kamaru Jama, son of Lal Mohammad Mian @ Lallu Mian, Resident of Village- Naushara near Ladda Baba, P.S.- Jiyanpur, District- Azamgarh, Uttar Pradesh.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Tamanna Khatoon wife of Kamaru Jama, Resident of Village- Nosehara, near Ladda Baba, P.S.- Jiyanpur, District- Azamgarh, Uttar Pradesh. Daughter of- Md. Wakil Alam, Resident of Village- Mahammadpur, Mathiya Tola, P.S.- Dariyapur, District- Saran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Sri Umeshnand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 19-06-2018 Heard learned counsel for the petitioner, O.P. No. 2 and learned APP for the State.

The petitioner seeks bail in a case registered under Sections 323, 498A, 379, 406/34 of the Indian Penal Code and ¾ of Dowry Prohibition Act.

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

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11-04-2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses 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.

On behalf of the State and the learned counsel for the complainant, it has been submitted that the petitioner is not complying with the order of the Family Court in respect of the maintenance, granted to the O.P. No. 2. The O.P. No. 2 will be at liberty to take necessary steps for compliance of the order of the Family Court by filing proper petition before the Family Court. 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 Sub Divisional Judicial Magistrate, Saran at Chapra in connection with Complaint Case No. 2047 of 2011.

(Sudhir Singh, J)

A.K.V./-

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

