

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41323 of 2018

Arising Out of PS. Case No.-28117 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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Ahmad Hussain, son of Md. Umer Khan, resident of Holding No. J,1 Paharpur Road, Fatehpur, P.S.- Garden Reach, Kolkata- 700024.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Nusrat Yasmin, aged about 25 years, daughter of Abdul Ahad Khan, Wife of Shamim Ahmad Resident of A1/484, Indrapuri Colony, P.S. Shastri Nagar, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shamsheer Imam
For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case in which cognizance has been taken under section 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of committing torture 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 17.5.2018 and has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is the in-



laws (devar) of the deceased. The case relates to misuse of the privilege of bail on behalf of the petitioner for a period of two years. The petitioner had gone out of station for his livelihood. The pairvikar of the petitioner could not intimate the dates and the proceedings of the Court below to the petitioner. The petitioner undertakes not to misuse of the privilege of bail. Counsel for the petitioner submits that the petitioner will be present on each and every date fixed by the Court below,

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 S.D.J.M., Patna in connection with Complaint Case No. 28117 of 2014 subject to the condition that petitioner shall be present on each and every date fixed by the Court below, failing which the Court below shall be at liberty to cancel the bail bond of the petitioner.

(Sudhir Singh, J)

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