

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29950 of 2018

Arising Out of PS. Case No.-856 Year-2017 Thana- HAJIPUR District- Vaishali

=====

Md. Raza Khan S/o Md. Ayub @ Md. Ayub Maulvi, R/o Vill.- Bahadurpur,
P.S.- Belaghat , District- Gorakhpur (U.P.) At present At Bagmusa
(Bagdulhan), Moh.- Muslim, Mohalla- Ashiana Colony, P.S.- Nagar Hazipur,
District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Vasant Vikas

For the Opposite Party/s : Mr. Iftekhar Mahmood

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 15-05-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 498A/34 of the Indian Penal Code.

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 9.1.2018. Charge sheet has
been submitted in this case. There is no allegation of tampering
of witnesses alleged against the petitioner. Earlier also the father
of the victim had instituted a case for offence under Section
366A of the I.P.C. The girl was examined under Section 164



Cr.P.C., where she stated that the victim was in love affair with the petitioner. It has further been submitted that it was only one side love affair of the victim with the petitioner. There was no marriage performed between the petitioner and the victim. Only with an intention to falsely implicate the petitioner, the victim has got the present case instituted against him and his family members. 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 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, Vaishali at Hajipur in connection with Hajipur Town P.S. case No.856 of 2017.

(Sudhir Singh, J)

Narendra/-

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

