

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20193 of 2017

Arising Out of PS. Case No.-41 Year-2015 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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Md. Khurshid @ Md. Khursid Son of Late Md. Nazir, Resident of Mohalla-
Gangjala, Ward No. 15, P.S.+ District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sajda Khatoon, Wife of Md. Khurshid, D/o Md. Abbas, Resident of Mohalla-
Gangjala, Ward No. 15, P.S.+ District- Saharsa, Presently residing at Village-
Bhatkhora Tola, Sonbarsa, P.S.- Murliganj, District- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Pramod Mishra, Adv.
For the State	:	Mr. Anant Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

11 08-05-2018 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 registered under
Section 498A of the Indian Penal Code and 4 of Dowry
Prohibition Act.

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

In pursuance to the order dated 16.04.2018, a
supplementary affidavit has been filed on behalf of the
petitioner. A surrender certificate dated 2.5.2018 has been filed
by way of Annexure-3 to the supplementary affidavit

During the pendency of the present application,



provisional bail was granted to the petitioner and the matter was referred to the Mediation Centre. It has been reported that the mediation has failed.

It has been submitted on behalf of the petitioner that the petitioner 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. 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 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 learned S.D.J.M., Madhepura in connection with Complaint case No.41C of 2015.

Narendra/-

(Sudhir Singh, J)

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