IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71397 of 2018

Arising Out of PS. Case No.-2503 Year-2015 Thana- SAMASTIPUR COMPLAINT CASE District- Samastipur

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Md. Fazlur Rahman Son of Late Abdul Karim Resident of Mohalla-Nilkothi,Pali Road,P.S. Deheri City,Pali Road,P.S. Chowk Deheri,District-Rohtas

... ... Petitioner

Versus

1. The State of Bihar
2. Naushrat Anjum Wife of Md. Fazlur Rahman D/o of Narul Hassan Resident of Village-Dharampur,P.S. Muffasil,Distt.-Samastipur

... ... Opposite Partis

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Appearance :
For the Petitioner/s : Mr. Anil Kumar
For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 04-12-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with C.R. No. 2503 of 2015 corresponding to T.R. No. 1763 of 2018, registered under Sections 498(A) of the Indian Penal Code and Section 3 / 4 of D.P. Act.

The accusation is of demanding of Rs. Five lakhs and Hero honda motorcycle by the petitioner being the husband of the complainant. While Rs. Two lakhs was paid by the parents of the complainant with assurance that rest amount will be paid, but in spite of that the complainant was being tortured through different modes and she was removed from

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her matrimonial house on 13.12.2015.

Learned counsel for the petitioner submits that earlier the petitioner was allowed privilege of pre-arrest bail on 28.03.2017 vide Criminal Miscellaneous No. 11184 of 2017 by a co-ordinate Bench of this Court with observation that if the dispute is resolved, the provisional bail granted to the petitioner shall be confirmed and if the dispute is not resolved the court below shall pass order in accordance with law immediately after laps of four months on the provisional bail of the petitioner. But, due to misunderstanding of the complainant the dispute could not be resolved and, therefore, the petitioner surrendered before court below on 06.07.2018 since than he is in custody.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Samastipur in connection with C.R. No. 2503 of 2015 (T.R. No. 1763 of 2018)

(Rajendra Kumar Mishra, J)

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