

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9287 of 2019

Arising Out of PS. Case No.-3704 Year-2013 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Firoj Khan @ Tinku Son of- Md. Samim Khan @ Karim Mian Resident of Mohalla-Golghar Chauraha, Emambaragali, P.S.- Gandhi Maidan, District-Patna, at present resident of village-House No-H-106A, Jatipur Jain Mandir Road, Badarpur, P.S.-Badarpur, New Delhi-14

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Zohara Praveen @ Baby, Wife of- Md. Firoj Khan @ Tinkki, D/O-Md. Sahabuddin Resident of Mohalla-Golghar Shiv Mandirgali, P.S.- Gandhi Maidan, District- Patna- 800001

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha
For the Opposite Party/s : Mr. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-04-2019 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for O.P. No. 2.

The petitioner seeks bail in a case instituted for the offences under Sections 498A, 323, 379 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 27.7.2018. 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 F.I.R./complaint case.

Considering the aforesaid facts and circumstances, the provisional bail granted vide order dated 18.02.2019 in connection with Complaint Case No. 3704(C)/2013 to the satisfaction of learned S.D.J.M., Patna, is hereby confirmed.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of reconciliation or one time settlement.

(Sudhir Singh, J)

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