

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32326 of 2019

Arising Out of PS. Case No.-196 Year-2018 Thana- PATAHI District- East Champaran

ABUZAID @ MD. ABUZAID, son of Md. Rahimullah @ Rahamatulla @
Rahi Mulla Shaikh, r/o village- Muhammadpur, P.S.-Patahi, District- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashhar Mustafa, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 15-05-2019

Heard learned counsel for the petitioner and learned

APP for the State as well as counsel for the informant.

Petitioner seeks bail in **Patahi P.S. Case No.196 of 2018** instituted for the offence under Section(s) 341, 323, 324, 307, 354-B, 379, 313, 498-A, 504, 506/34 Indian Penal Code and Section $\frac{3}{4}$ of the Dowry Prohibition Act.

Counsel for the petitioner submits that in the written report there is specific allegation against Nurul Haque of causing *farsa* injury on the head of daughter of the informant. Aforesaid, Nurul Haque, has already been granted anticipatory bail by co-ordinate Bench of this Court by order dated 04.02.2019 passed in Cr. Misc. No.5641 of 2019.

Counsel for the petitioner submits that daughter of the



informant performed love marriage with this petitioner. Counsel for the petitioner further submits that just 10-15 days prior to lodging of this case victim has executed Deed of Divorce with mutual consent, which is enclosed as Annexure-2 and in terms of aforesaid Deed of Divorce, an amount of rupees two lac has already been deposited by the petitioner in the account of daughter of the informant. There is no allegation of any specific overt act against the petitioner.

Counsel for the informant has appeared and opposed the prayer for bail.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Chief Judicial Magistrate, East Champaran**, in connection with **Patahi P.S. Case No.196 of 2018**, subject to the condition that both the bailors shall be close relative of the petitioner.

(Sanjay Priya, J)

J. Alam/-

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