

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41078 of 2019

Arising Out of PS. Case No.-150 Year-2014 Thana- KRITYANAND NAGAR District-
Purnia

MD. AZMAL Son of Late Md. Jamal Resident of Village - Rampur Milik,
P.S.- K. Nagar, Dist.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivnandan Bharti, Adv.

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 13-09-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for bail in connection with
K. Nagar (Champanagar) P.S. Case No. 150 of 2014 registered
for the offence punishable under Sections 376, 313, 498 A,
406/34 of the Indian Penal Code and Section 4 of the D.P. Act.

As per allegation in the FIR, the petitioner, who
happens to be the husband of the informant, is said to have
abused the informant and of making a demand of Rs. 2 lac by
way of dowry. It is further alleged that for not fulfilling the
demand, she was assaulted by all the accused persons including
this petitioner and finally they ousted her from the house on
30.04.2012.



It is submitted by learned counsel for the petitioner that for the alleged occurrence of the year 2012, FIR was registered in the year 2014 without explaining the delay. It is further submitted that investigation has been concluded with submission of charge-sheet under sections 341, 323, 313, 498 A IPC and Sections 3 and 4 of the D.P. Act and the petitioner is in custody since 29.04.2019.

It is submitted by the learned counsel for the informant that there is direct allegation of outraging her modesty, torture and cruelty against the petitioner who is husband of the informant. He further submits that there was delay in lodging the FIR for the reason that the informant wanted the matter to be settled amicably.

Having heard learned counsel for the parties and taking into consideration the facts that investigation has already been concluded, petitioner is in custody since 19.04.2019 and there is delay of more than two years in lodging of the FIR, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge-cum-Special Judge, Purnea in



connection with K. Nagar (Champanagar) P.S. Case No. 150 of
2014.

(Partha Sarthy, J)

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