

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57731 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- AGIAON District- Bhojpur

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TABREZ ALAM @ MD. TABREZ ALAM, aged 26 years, Male, Son of
Nasharuddin, Resident of Village - Baraura, P.S.- Agion (G), Distt - Bhojpur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Ajmeri Khatoon, Wife of Tabrez Alamm, D/o Attau Rahman, Resident of
Village - Moap Khurd, P.S.- Imadpur, Distt - Bhojpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Rajani Ranjan Pd. Singh, Advocate.
For the State	:	Mr.Akshay Lal Pandit, A.P.P.
For the Informant	:	Mr. Rajendra Lal Sinha, Advocate.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the informant.

The petitioner seeks bail in a case for the offence
registered under Sections 379, 354, 498(A) of the IPC and ¾ of
the D. P. Act.

The prosecution story, in brief, is that the marriage of
the informant was solemnized on 07.11.2015 with this petitioner
and thereafter on 08.11.2015 she went to her matrimonial house
where her husband, father-in-law, mother-in-law, Bhaisur and
neighbour Mumtaz Ansari and his daughter Gulsan started
torturing her mentally and physically for demand of dowry and
lastly she was ousted from their house. She lodged Agiaon (G)



P.S. Case No. 106/2017 in which after compromise, she was taken to her *Sasural* where she became pregnant. She was again tortured by her in-laws family in various ways and her father-in-law Nasuruddin and Dewar Javed were having evil eyes on her and they attempted to make physical relation with her, whenever, she complained to his husband about the behaviour of his father and brother, he kept mum. It is further alleged that her husband loves with Gulsan, daughter of a neighbour Mumtaz and they also instigated her husband to drive away the informant from his house. On 15.04.2019, accused persons assaulted and ousted her from their house, she was about to suffer miscarriage. She informed D.I.G., Bhojpur, Rohtas, who advised her to lodge a case in the police station. It is further alleged that her husband snatched her ornaments, cash Rs. 5,000/- and gave threat to kill her.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 02.06.2019. The petitioner has falsely been implicated in the present case due to petty family dispute. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. On earlier occasion also,



the informant had lodged a case against the petitioner and his family members for the similar offence. The case is triable by the Magistrate. The petitioner has further 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 learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R/ 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 the learned A.C.J.M.- VII, Bhojpur at Ara, in connection with Agion (G) P.S. Case No. 52 of 2019.

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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