

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64222 of 2019

Arising Out of PS. Case No.-2553 Year-2017 Thana- COMPLAINT CASE District- Araria

MD. MUASTKIM @ MUSTKIM, aged 26 years (Male), Son of Mukhtar Alam, Resident of Village- Farsadangi, P.S.- Palasi, District- Araria.

... .. Petitioner

Versus

1. The State of Bihar.
2. Bibi Tarannam Naaz, aged 21 years (Female), Wife of Mustkim, Daughter of Md. Mojibur Rahman Resident of Village- Fasadangi, P.S.- Palasi, District- Araria. At present- Resident of Village- Kujri, P.S.- Palasi, District- Araria.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr.Ramesh Kumar Singh, Advocate.
For the State	:	Mr.Shyam Bihari Singh, A.P.P.
For the O.P. No. 2	:	Mr. Mukesh Kumar Rana, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-10-2019 Heard learned counsel for the petitioner, learned A.P.P. for the State and learned counsel for the opposite party no.2.

The petitioner seeks bail in a case for the offence registered under Sections 498(A) of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 16.08.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the



witnesses alleged against the petitioner. The petitioner is the husband of the victim. 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 opposite party no. 2, 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 S.D.J.M. , in connection with Complaint Case No. 2553C of 2017, Araria.

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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