

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68445 of 2019

Arising Out of PS. Case No.-456 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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MOBARAK MIAN Son of Julum Mian Resident of Village - Briti Tola, P.S.-
lauriya, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Afsana Khatoon W/o Mobarak Mian, D/o Late Fafique Ahmed Resident of
Village - Briti Tola, P.S.- Lauriya, Distt.- West Champaran. at Present
residing at kalibagh Kutti Ward No.14, P.S.- Bettiah Town, Distt.- West
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Asha Devi

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Section 498(A) of the Indian Penal Code.

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 5.7.2019. There is no allegation
of tampering of witnesses alleged against the petitioner. On the
earlier occasion also, the victim and her family members have



instituted case for similar offence against the petitioner and his family members. 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, it is directed that 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 Shri K.K. Shahi, Judicial Magistrate, 1st Class, Bettiah, West Champaran in connection with Complaint Case No. 456C of 2015, Trial No. 1465 of 2019.

(Sudhir Singh, J)

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