

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8960 of 2022

Arising Out of PS. Case No.-125 Year-2021 Thana- CHAINPUR District- Kaimur (Bhabua)

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AZAMI MOHMAD IMTIYAZ KHAN Son of Jamir Ahmad Khan Resident of B- Block, Flat No.203 (Wrongly written 208), Shalimar Apartment, Old Purulia Road, Mango, Permanent Address- Village- Machhali Line, Purani Dasti Road, Jagsalai, Police Station- Jagsalai, District- Jamesdpur (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh

For the Opposite Party/s : Mr.Ashok Kumar Singh
Mr.S.K.Singh,Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 498(A), 323, 313, 376/511, 406, 504, 506, 34 of the Indian Penal Code and Section 3 / 4 of the Dowry Prohibition Act.

As per the prosecution case, the petitioner alongwith other F.I.R. named persons are alleged to have committed torture and thereafter, ousted the informant from her matrimonial home due to non-fulfillment of additional demand of dowry. This petitioner, who happens to be younger brother-in-law (देवर) of the informant, is also alleged to have misbehaved with the informant.



It is submitted on behalf of petitioner that petitioner has been falsely implicated by the informant / complainant in this case and no such occurrence, as alleged in the complaint petition, has taken place. As a matter of fact, the petitioner is handicap and sick person and surviving on dialysis. Petitioner is in custody since 31.08.2021. Investigation is complete.

However, learned counsel for the informant has vehemently opposed the bail petition and submitted that this petitioner has also committed torture alongwith other F.I.R. named accused persons and till date, husband of the informant has not surrendered before the court below and is still absconding.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned A.C.J.M. - II, Kaimur, Bhabua in connection with Chainpur P.S. Case No. 125 of 2021.

(Prabhat Kumar Singh, J)

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