

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72272 of 2022

Arising Out of PS. Case No.-279 Year-2022 Thana- DAGARUA District- Purnia

MD. TARIQUE Son of Ayub Resident of Village - Bhamra, Ward No.- 04,
P.S.- Dagarua, District - Purnea.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahara Daughter of Aub Soyab Resident of Village - Gandwas, Ward No.- 11, Panchayat - Belgachhi, P.S.- Dagarua, District - Purnea.
3. Soyab Son of Yasin @ Turai P.S.- Gandwas, Ward No.- 11, Panchayat - Belgachhi, P.S.- Dagarua, District - Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar Singh
For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 13-03-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 498A, 504, 506 of the Indian Penal Code and section 4 of Muslim Woman (Protection of right & marriage) Act 2019 and Section 37(1) of Bihar Prohibition and Excise Act.

As per allegation in the FIR, petitioner is husband of the informant and used to abuse and assault to the informant after consuming liquor. It is further alleged that petitioner has pronounced Tripple Talaque.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner has been falsely implicated in this case. He had never demanded any thing from the informant. Petitioner is still ready to keep his wife with full dignity and honour but informant don't want to lead the conjugal life. Petitioner is languishing in judicial custody since 11.09.2022.

The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that petitioner has performed second marriage and due to fear of assault, informant do not want to live in her matrimonial house.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Exclusive Special Excise Judge, Court no. 1, Purnea in connection with Gagarua P.S. Case No. 279 of 2022.

(Sunil Kumar Panwar, J)

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