

Sl. No.	Date of order of proceeding	Order with the signature of the Court	Office action taken with date
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		In the Court of Vacation Judge, Deoghar <u>B.P. No. 938 of 2022</u> <u>Arising out of Complaint Case No. 567/2009</u> CNR No.- JHDG0100 5520 2022 Name of Accused Petitioner: Rafique Mian Name of Informant : Jahida Khatoon	
	21.10.22	The regular bail petition dated 08.10.22 filed on behalf of accused petitioner namely Rafique Mian, who is in custody since 26.09.22 in relation to <u>Complaint Case No. 567/2009</u> registered under Sections 498-A Indian Penal Code is taken up for hearing. It has been submitted by learned counsel appearing on behalf of the petitioner that he had committed no offence whatsoever as alleged in the complaint petition. Learned counsel further submits that petitioner happens to be the husband of the complainant. It is further argued that no case under the alleged offence has been made out against the accused petitioner as neither he has demanded any dowry nor he assaulted the informant. The accused petitioner is in custody since 26.09.22. Therefore, it is submitted that considering the period of custody in particular a lenient view may be taken and accordingly the petitioner be set at liberty. Learned P.P. (In-charge) vehemently opposed the prayer for bail and submitted that the petitioner and others abused, assaulted and ousted the complainant from her matrimonial home so the petition filed on his behalf is fit to be rejected. Consequent upon rival submission a careful perusal of record makes it clear that in this case the criminal law has been set at motion in the light of complaint lodged by	

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	<u>Contd...2</u> 21.10.22	Jahida Khatoon alleging inter alia that the marriage of complainant was solemnized with accused petitioner in the year 2002 and out of said wedlock two sons were born. It is further alleged all the accused persons including petitioner used to torture the complainant for dowry demand of a motorcycle and Television and on non fulfillment of said demand, the accused persons ousted her from matrimonial home and lastly, the Complainant took shelter at the house of her parental home. On perusal of record, it appears that the accused petitioner is husband of the complainant and he is in custody since 26.09.22. the allegation of demand of dowry is not specific against the accused petitioner. Considering the aforesaid facts and circumstances of the case and period of detention in particular, the above-named accused petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of like amount each to the satisfaction of learned court below. (Dictated) Sd/- (Diwakar Pandey) Vacation Judge 21.10.22	
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