

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.51992 of 2015**

Arising Out of PS.Case No. -216 Year- 2015 Thana -BAHADURGANJ District- KISANGANJ

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1. Majebul son of Wasiruddin, Resident of village- Niya Tola, Betbari, P.S. Bahadurganj, District- Kishanganj

.... .... Petitioner/s

Versus

1. The State of Bihar  
2. Akhtari Begum, wife of Majebul, Resident of village- Niya Tola, Betbari, P.S. Bahadurganj, District- Kishanganj

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Radha Mohan Singh

For the Opposite Party/s : Mr. Dr.Indiwar Kumari(App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

2      16-12-2015                                      Heard learned counsel for the petitioner and the State.

The petitioner is husband of the informant and facing prosecution under Section 498A/34 of the IPC and Section 3/4 of the Dowry Prohibition Act vide Bahadurganj P.S. case no. 216 of 2015.

In nutshell, the allegation is that on account of non fulfillment of dowry she was ill treated both mentally and physically. She was also injured on her hands by the petitioner.

Learned counsel for the petitioner submits that out of the marriage four children have been born. Petitioner is taking care of those children. No injury report was ever produced

by the informant before the investigating agency. Petitioner would be ready and willing to resolve the matrimonial discord if released on bail. He is in custody since 27.08.2015.

Considering the facts and circumstances of the case, this Court is inclined to extend the privilege of bail. Let the petitioner, named above, 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 Chief Judicial Magistrate, Kishanganj in connection with Bahadurganj P.S. case no. 216 of 2015 subject to the following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioner.
- (ii) As soon as the charges are framed the petitioner shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the petitioner and secure his arrest in accordance with law.
- (iii) Along with the bail bonds the petitioner shall produce the receipt showing deposit/payment of Rs.4,000/-(four thousand) in favour of the

informant and/or deposit the said amount in the  
Nazarat of the Civil Court and produce the  
receipt thereof which the informant shall be  
entitled to withdraw.



**(Kishore Kumar Mandal, J)**

Shyam/-

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