

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22446 of 2016

Arising Out of PS.Case No. -245 Year- 2016 Thana -SASARAM MUFFSIL District- SASARAM
(ROHTAS)

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Imtiyaz Hussein son of Hezakat Ansari @ Nizam @ Nizammudin, Resident
of village- Bansa, P.S.- Sasaram, District- Rohtas

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar 1 (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 24-05-2016

Heard the learned counsel for the petitioner, the
learned A.P.P. for the State as also the learned counsel for the
informant.

The petitioner seeks bail in a case for the offences
punishable under sections 494, 498-A, 323/34 of the Indian Penal
Code and Sections 3 and 4 of the Dowry Prohibition Act.

Allegedly, the petitioner, being the husband of the
informant and other co-accused due to non-fulfillment of demand
of dowry by way of Rs.2,00,000/- cash and motorcycle, started
torturing and assaulted her and ultimately, she was ousted from the
in-law's house after taking her signature on four plain papers and
further the petitioner has performed marriage with another lady.

Submission is of false implication and that there is no

specific allegation against the petitioner for demanding dowry or torturing the informant, he is always ready to keep the informant as his wife with all dignity and comfort, but she is not ready to live with the petitioner, the petitioner without any fault suffering in custody since 29.3.2016 and, as such, he deserves sympathetic consideration to which the learned A.P.P. duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) Town P.S. Case No.245 of 2016, subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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