

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49535 of 2015

Arising Out of PS.Case No. -438 Year- 2012 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Md. Ishmile Son of Md. Israil Resident of Mohalla - Sahebganj, P.S.-
University, (Kotwali), District - Bhagalpur

.... Petitioner

Versus

1. The State of Bihar
2. Bibi Nemuna @ Moni Daughter of Md. Ansar Wife o Md. Ismile
Resident of Village - Khilapatnagar, P.S.- Habibpur, Distrct - Bhagalpur

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Pravin Kumar Sinha, Advocate.

For the Opposite Parties : Mr. B. N. Pandey (APP)

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

ORAL ORDER

3 14-03-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under section 498 A of the I.P.C and section 3/4 of the
Dowry Prohibition Act.

Allegedly, the petitioner being husband of the
complainant along with other co-accused started torturing and
assaulting her due to non fulfillment of demand of Rs. 20,000/-
and further tried to burn her.

Submission is of false implication and that the
petitioner was granted pre-arrest bail for six months with a

direction to take step for reconciliation but after completion of six months the bail bond of the petitioner was cancelled and then he surrendered and is suffering in custody since 06.08.2015.

The learned A.P.P. now does not oppose the prayer for bail.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is directed to 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 S.D.J.M. Bhagalpur in Complaint Case No. 438 of 2012, subject to the conditions that one of the bailors must be a 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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