

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21439 of 2017

Arising Out of PS.Case No. -180 Year- 2016 Thana -RAJNAGAR District- MADHUBANI

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Wasim @ Md. Wasim

.... Petitioner

Versus

1. The State of Bihar.
2. Sajmin Khatoon.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Gagan Deo Yadav, Advocate.

For the State : Mr. Surendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 24-05-2017 Heard learned counsels for the petitioner, informant and learned counsel for the State.

The petitioner is apprehending his arrest in connection with Raj Nagar P.S. Case No. 180 of 2016 for the offences instituted under Sections 341, 323, 498(A), 379, 504 of the IPC and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the petitioner subjected the informant/wife namely, Sajmin Khatoon, to cruelty and torture both mentally and physically due to non-fulfilment of dowry demand of Rs. 50,000/- and ultimately she was ousted from her matrimonial home by the accused persons including the petitioner by keeping her belongings. The petitioner performed second marriage with another lady.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation has been made against him. The petitioner is ready to keep the informant as a wife with dull dignity and respect. Learned counsel for the petitioner has further relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the informant. Learned counsel for informant further submits that the informant is ready to live with the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Raj Nagar P.S. Case No. 180/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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