

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31857 of 2017

Arising Out of PS.Case No. -68 Year- 2016 Thana -MAHILA P.S. District- PATNA

=====

1. Wasim Akram Son of Masiullah Ali, resident of Saheed Market,
Stuwarganj, Mohania, P.S.-Mohania, District-Kaimur

.... Petitioner/s

Versus

1. The State of Bihar
2. Taiyab Muhammad Ansari, Son of Jumrati Mian Resident of Soghra
Manzil New Millat Colony, Phulwarisarif, District-Patna.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramadhar Shekhar

For the Opposite Party/s : Mr. Gauri Shankar Gupta

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-09-2017 Heard learned counsel for the petitioner, learned

counsel for the informant opposite party no. 2 and learned APP for

the State.

Petitioner is languishing in judicial custody since
29.04.2017 in connection with Mahila P.S. Case No. 68/2016 for
offences punishable under Sections 420/34 of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act.

The prosecution case, as lodged by the informant, is
that he settled his daughter's marriage with the petitioner, son of
Masiullah Ali and the petitioner's father demanded Rs. 10 lakhs
for expenses of the marriage, which was deposited by the
informant in the account of the petitioner's father by way of



RTGS. Thereafter they started demanding more money and the informant received a phone call from one Md. Tanveer that the petitioner's father is indulging in such offences with many other persons for which Aurangabad Mahila P.S. Case No. 08/2016 has been lodged against him and his family members.

It has been submitted by the learned counsel for the petitioner that he is innocent, he did not demand any dowry in lieu of his marriage but his father and the informant have exchanged money as dowry and that false allegation has been levelled against him.

However, learned counsel appearing for the informant opposite party no. 2 submits that the father of the petitioner also moved this Court and a coordinate Bench of this Court had granted bail to his father Masiullah Ali with condition that he would deposit demand draft of Rs. 5 lakhs before the court below, which the father of the petitioner has not yet deposited.

Learned APP for the State also opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on provisional bail for a period of three months on furnishing bail



bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Patna, in connection with Mahila P.S. Case No. 68/2016, and the petitioner after release will honour the commitment made by his father before this Court and deposit demand draft of Rs. 5 lakhs before the court below in favour of the informant and on such deposit only the provisional bail granted to be petitioner will be confirmed by the learned court below.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

