

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71111 of 2018

Arising Out of PS. Case No.-970 Year-2005 Thana- PATNA COMPLAINT CASE District-
Patna

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Md. Nasim, Son of Md. Isarail, resident of Village- Kurmahat (Near Sarashwati Sthan), Police Station- Dhoraiya, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Hasina Bano, wife of Md. Nasim, Daughter of Md. Yasin, resident of Mohalla- B/88, Pupils, Co-operative Colony, P.S.- Kankarbagh, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar, Advocate
For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 04-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Complaint Case No.970 (C)**
of 2005 instituted for the offence under Section(s) 498 Indian
Penal Code and Section 3/4 of the Dowry Prohibition Act.

Counsel for the petitioner submits that petitioner is
husband of the Complainant.

In the written report, it is alleged that marriage of the
Complainant was performed with the petitioner in the year
2002. She was tortured by this petitioner for demand of rupees
twenty thousand. She was tortured and finally ousted from the
house for non-fulfillment of demand.



Counsel for the petitioner has submitted that petitioner is always ready to keep the wife (Complainant) with full dignity, but she is not ready to live with him. Petitioner is keeping his six month old child with him.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 **Sub-Divisional Judicial Magistrate, Patna**, in connection with **Complaint Case No.970 (C) of 2005**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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