

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59685 of 2018

Arising Out of PS.Case No. -28 Year- 2018 Thana -NATHNAGAR District- BHAGALPUR

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1. Md. Firdaus Ansari S/o Md. Naosad Ansari, R/o Mohalla- Matro Miya Lane, Nath Nagar, P.S.- Nath Nagar, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 19-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Nath Nagar P.S.Case No.28 of 2018 registered for offences punishable under Sections 341, 323, 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of demanding cash from the father and mother of the informant and also of torture.

Submission of the learned counsel for the petitioner is that he has been falsely implicated in this case and now he is in custody for about six months and the charge-sheet has already been submitted. He is ready to abide by any condition imposed upon him.

Heard learned A.P.P. and the learned counsel for the



informant. They have opposed the prayer for bail stating that the petitioner is not keeping her in spite of her desire to live with him.

Having heard both sides and in view of the fact that the petitioner is in custody for about six month, the charge-sheet has already been submitted and there is no chance of tempering with the evidence, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-1st, Bhagalpur in connection with Nath Nagar P.S.Case No.28 of 2018.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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