

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62946 of 2018

Arising Out of PS. Case No.-175 Year-2006 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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Md. Nasim Ahmad @ Nasim Ahmad @ Gulab @ Md. Nasim, Son of Late Abdul Salam, Resident of Village- Gadha, Police Station- Pupri, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Rajiya Sultana, Wife of Md. Nasim Ahmad @ Nasim Ahmad @ Gulab @ Md. Nasim, Resident of Village- Gadha, P.S.- Pupri, District- Sitamarhi, At present Daughter of Safiur Rahman, Resident of Village- Madaripur, P.S.- Bajpatti, District- Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Sri Rana Randhir Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018 Heard learned counsel for the parties.

Petitioner seeks bail in **Complaint Case No. C-1/175 of 2006** registered for the offence punishable under Sections 323, 342, 506 and 498A of the of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of torturing the complainant for non fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner never demanded dowry or subjected her to cruelty. Complainant is not ready to live with



the petitioner and in this regard she has signed Ekrarnama which has been annexed as Annexure-2 to this petition. Petitioner has got no criminal antecedent and is in custody since 15.06.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate-Pupri, Sitamarhi**, in connection with **Complaint Case No. C-1/175 of 2006**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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