

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73791 of 2018

Arising Out of PS. Case No.-57 Year-2016 Thana- SHIKARPUR District- West Champaran

Tabrej Alam @ Sugme Khan @ Sugnu Khan @ Suganu Khan, S/o Mahmood Khan, Resident of Village- Chaturbhujwa, P.S.- Shikarpur, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Shabnam Khatoon, W/o Tabrej Alam @ Sugnu Khan @ Suganu Khan, Resident of Village- Chaturbhujwa, P.S.- Shikarpur, District- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 13-12-2018 Heard Mr. Sanjeev Kumar, learned counsel for the petitioner, Mr. Bimlesh Kumar Pandey, learned counsel for the informant and learned A.P.P.

The petitioner seeks bail in Shikarpur P.S. Case No.57 of 2016(Tr. No.1109 of 2018) registered under Sections 498A of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

The wife of the petitioner lodged the case making allegation that although she was married to the petitioner ten years ago but petitioner subjected her to all sorts of torture due to non-fulfillment of demand of dowry. The petitioner was demanding money and Bolero vehicle. The petitioner was also pressurizing her to get some land transferred in his name and eventually she was driven out to the house on 05.01.2016 after



snatching her ornaments.

The learned counsel for the petitioner submits that the petitioner got some quarrel with his wife and his wife does not want to live with the petitioner. On account of some family dispute, this false case has been lodged.

Learned counsel for the informant submits that petitioner is not paying the maintenance of his wife and three minor children although in the interim maintenance case, the order for payment of maintenance has already passed.

Considering the aforesaid facts and nature of allegation made against the petitioner and the fact that there is allegation that petitioner subjected his wife to different sorts of torture due to non-fulfillment of demand of dowry but the petitioner was married with the informant ten years ago and petitioner remained in custody for five months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Bettiah, West Champaran in connection with Shikarpur P.S. Case No.57 of 2016(Tr. No.1109 of 2018).

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(Prabhat Kumar Jha, J)

