

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4420 of 2019

Arising Out of PS. Case No.-71 Year-2018 Thana- MAHILA P.S. District- Bhabhua (Kaimur)

Jhabbu Sah Late Khedaran Sah Resident of village-Sikanderpur, P.S-
Chainpur, District-Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar and anr Bihar
2. Afsari Begam Imteyaz sah, D/o Julfekar Sah, Resident of village-Sikanderpur, P.S Chainpur, District-Kaimur (Bhabhua) at present resident of village-Kotsa, P.S-Durgawati, District-Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth
For the Opposite Party/s : Mr.Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Mahila (Bhabua) P.S. Case No. 71 of 2018 registered for the offence punishable under Sections 498A, 307/34 of the Indian Penal Code.

Allegation against petitioner is of torturing the informant for non-fulfillment of demand of dowry. She was assaulted by her in laws due to which her hands were fractured and ear was injured and they also tried to set her on fire.

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 occurrence took place on 27.10.2018 and FIR was registered on 23.11.2018 and no explanation has been given for such delay. Petitioner is the father in law of the informant and he resides separately from the informant and her husband since January 2016. As a matter of fact the informant got married with the son of the petitioner out of love and the informant sustained injuries due to falling from the ladder. Petitioner has no criminal antecedent and he is in custody since 24.11.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Kaimur at Bhabua, in connection with Mahila (Bhabua) P.S. Case No. 71 of 2018 subject to the conditions that:-

(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 properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty 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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