

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4406 of 2019

Arising Out of PS. Case No.-43 Year-2018 Thana- BAUSI District- Araria

MATASEER @ MD. MATASSIR aged about 26 years (Male) S/o Md. Alam,
R/o village- Dhama Matiyari, P.S- Araria, O.P. (R.S.), District, Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bousi P.S. Case No. 43 of 2018** registered for the offence punishable under Sections 341, 323, 504 and 498A of the Indian Penal Code and under Section 3/4 of Dowry Prohibition Act.

Informant has alleged that petitioner (husband) along with his family member assaulted and ousted her from her matrimonial home due to 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 further been submitted that the informant did not like to live jointly with the parents of the petitioner and always insisted to get separated but the petitioner was not ready to desert his old parents and due to this, the informant has left his house.



Petitioner filed a petition for restoration of his conjugal life and he is always ready to keep informant with full honor and respect. Petitioner has got no criminal antecedent.

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 **Chief Judicial Magistrate, Araria**, in connection with **Bousi P.S. Case No. 43 of 2018**, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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