

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14409 of 2019

Arising Out of PS. Case No.-523 Year-2018 Thana- JOGAPATTI District- West Champaran

JITENDRA SAH, Male, aged about 30 years, Son of Satrohan Sah @
Shatrudhan Sah, Resident of Village- Bishunpurwa, P.S.- Yogapatti, District-
West Champaran, Bettiah ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Ashok Kumar Gupta
For the Opposite Party : Mr.Pushpa Sinha.1

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 12-03-2019 Heard the learned counsel for the petitioner and the
learned counsel appearing for the State.

The petitioner is languishing in judicial custody since
18.10.2018 in connection with Yogapatti P.S. Case No. 523 of
2018 for the offences alleged under Sections 341, 323 and 498A
of the Indian Penal Code, under Sections 3 and 4 of the Dowry
Prohibition Act and under Section 37(b) of the Bihar Prohibition
and Excise Act, 2016.

The prosecution case, as lodged by the informant, who
is the wife of the petitioner, is that she was married to the
petitioner seven years back and was living happily, but, of late
her husband has started consuming liquor and abusing and
beating her and demanded Rs.1,00,000/- to be brought as dowry
from her paternal house.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He is ready to keep his wife with full dignity and honour, as per his economical capacity, and would not indulge in any overt-act in future.

However, the learned Additional Public Prosecutor for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, 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 in connection with Yogapatti P.S. Case No. 523 of 2018 to the satisfaction of the learned Special Judge, Excise, West Champaran at Bettiah, subject to the following conditions :

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(ii) The petitioner will give an undertaking before the learned Court below on affidavit to keep his wife with full dignity and honour and will not indulge in any overt act. If it is brought to the notice of the learned Court below of any overt act by the



petitioner, the learned Court below would proceed to cancel the
bail bond of the petitioner.

(Nilu Agrawal, J)

Shamshad/-

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