

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74153 of 2018

Arising Out of PS. Case No.-1825 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Saleem son of Late Shafique resident of Village- Kurudih, P.S. Goradih,
District- Bhagalpur.

... .. Petitioner

Versus

1. The State Of Bihar
2. Bibi Shabnam W/o Md. Saleem, resident of Village- Kurudih, P.S. Goradih,
District - Bhagalpur.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Md. Najmul Hodda, Advocate
For the State	:	APP
For Opposite Party No.2	:	Mr. Vibhakar Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 07-03-2019 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 323 and 498A of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act registered in connection with
Complaint Case No. 1825 of 2016.

3. It is submitted that the petitioner has been falsely
implicated and the accusations are improbable as the parties were
married more than 15 years ago and the petitioner has already retired
from Government service. The petitioner claims clean antecedents.

4. Be that as it may, in the event of the petitioner's arrest
or surrender before the court below within six weeks from the date of
communication of this order, let the above named petitioner be
released on bail on furnishing bail bond of Rs.10,000/- (ten thousand)
with two sureties of like amount each to the satisfaction of learned
Sub-Divisional Judicial Magistrate, Bhagalpur in connection with
Complaint Case No. 1825 of 2016, subject to the conditions as laid



down under Section 438 (2) Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

BT/-

(Vikash Jain, J)

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