

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45679 of 2019

Arising Out of P.S. Case No.-84 Year-2019 Thana- PHULWARIYA District- Gopalganj

Arshad Siddique @ Arsad Sdhiquee @ Md. Arshad Siddique, Male, aged about 24 years, Son of Md. Noorain Siddique @ Nuren Siddique Resident of Village-Qazipur (Kajipur), Police Station-Fulwaria, District-Gopalganj.

... .. Petitioner

Versus

1. The State of Bihar
2. Nazia Parveen @ Naziya Parveen Wife of Arshad Siddique @ Arsad Sdhiquee @ Md. Arshad Siddique Resident of Village-Qazipur (Kajipur), Police Station-Fulwaria, District-Gopalganj.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 25-09-2019 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor and learned counsel for the informant.

The petitioner is in custody in connection with Fulwaria P.S.Case No.84 of 2019 registered for an offence under Section 342, 323, 406, 504, 506 and 498A/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per prosecution case, the petitioner was married with the informant with Muslim rites and rituals. After some time, the petitioner started torturing the informant mentally and physically for want of cash of Rs.1.5 lacks. When his demand was not fulfilled, he with an intention to eliminate his wife tied her both hands by scarf and threw her in Jalkumbhi near Narainiya railway crossing.

It is submitted on behalf of the petitioner that the



petitioner has falsely been implicated in this case due to personal grudge. It is also submitted that the petitioner is ready to keep the Opposite Party No.2 with full honour and dignity. It is also submitted that there is no specific allegation against him and petitioner has got clean antecedent. Petitioner is in custody since 07.06.2019.

However, learned counsel for the informant opposes the prayer for bail and submits and there is direct allegation against this petitioner.

In view of the aforesaid facts, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XIII, Gopalganj in connection with Fulwaria P.S.Case No.84 of 2019 with following conditions:-

(i) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) 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.

B.Kr./-

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(Prabhat Kumar Singh, J)

