

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52141 of 2019

Arising Out of PS. Case No.-25 Year-2017 Thana- MAHILA P.S. District- Rohtas

MD. SHAMSHAD SAI @ SAMSAD SAI Son of Md. Abbas Sai Resident of
Village - and Post - Baraon, P.S.- Nokha, Dist.- Rohtas.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Farjana Khatoon Wife of Md. Shamshad Sai @ Samsed Sai, D/o Md. Farook Sai Resident of Village - Barah Pathther, Dehri, P.s.- Dehri (T), Dist.- Rohtas.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhaneshwar Prasad Gupta
For the Opposite Party/s : Mr.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 21-08-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Mahila P.S.Cas no.25 of 2017 , registered for offences punishable under Sections 341, 323, 406, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Prosecution case as per the FIR is that the petitioner and several other accused persons assaulted the informant with respect to demand of Rs.20,000/- and she was ousted from the house. It further appears from the impugned order that the informant appeared before the Sessions Judge, Rohtas but the reconciliation failed between the parties.

Submission of the learned counsel for the petitioner is that all the allegations are general and omnibus in nature and



nothing specific has been attributed either about the demand or about assault. He is ready to keep her.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, surrender before the learned court below on 2.9.2019 and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Sasaram Rohtas in connection with Mahila P.S. Case No.25 of 2017 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure with further condition that if the informant wants to reside with the petitioner, he will keep her with dignity and care otherwise the prosecution is at liberty to move for cancellation of his bail bond before the learned court below.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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