

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63648 of 2019**

Arising Out of PS. Case No.-9 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

MD. SALAM @ SALAM S/o Late Md. Ansar R/o village- Puraini Uttari
Tola, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madan Mohan
For the Opposite Party/s : Mr.Abhay Kumar

**CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER**

2 22-10-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 341, 323, 504, 506 and 34 of the Indian Penal Code, including Section 3/4 of the Dowry Prohibition Act, registered in connection with Jagdishpur P.S.Case No. 09 of 2019.

3. It is submitted that the petitioner, who is the husband of the informant, has been falsely implicated on the accusation of demand of dowry. It is submitted that such accusation is general and omnibus against the petitioner and his family members. The parties were married more than six years ago and have two sons from the wedlock. As such, the accusation of demand of dowry at this stage is highly



improbable. Other co-accused (family members of the petitioner) have been granted anticipatory bail by this Court in Cr. Misc. No. 37274 of 2019. The petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender before 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 09 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C. and also subject to the following 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 co-operate 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.

(iv) 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.

(Vikash Jain, J)

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