

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65137 of 2019

Arising Out of PS. Case No.-454 Year-2019 Thana- PIRBAHOR District- Patna

MD. ALI IMAM, Son of Syed Jafar Imam, Resident of Mohalla - New
Azimabad, Colony Sector - A, House No. 502C, P.O. Mahendru, P.S. -
Bahadurpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mr. Ahmad Ali, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 379, 506, 498A/34
of the Indian Penal Code, Sections 3, 4 of the Dowry
Prohibition Act, Sections 3 and 4 of the Muslim Women
(Protection of Rights on Marriage) Act, 2019.

Allegation is that the petitioner pronounced triple
Talaq on 30.08.2019 declaring divorce with the informant.
Petitioner is in custody since 30.08.2019. Petitioner is ready for
restoration of conjugal life. Learned counsel for the petitioner is
of no two mind that on the alleged date, the pronouncement of
triple Talaq was a punishable offence and could not have given
affect to a legal divorce.



Learned counsel for the informant opposed the prayer for bail.

In the circumstance, let the petitioner, above named, be released on **provisional bail for a period of four months** on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Peerbahore Police Station Case No. 454 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

In the meantime, petitioner shall take step for restoration of conjugal life with his wife and thereafter the learned court below shall confirm the provisional bail.

(Birendra Kumar, J)

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