

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4217 of 2020

Arising Out of PS. Case No.-270 Year-2019 Thana- KATIHAR District- Katihar

Md. Abbas @ Md. Abbash Son of Late Md. Tamij Resident of Mohalla -
Rampara ward no. 23, P.S.- Katihar Town, District - Katihar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Katihar Town P.S. Case No. 270 of 2019**, registered for the offence punishable under Sections 341, 323, 326, 307, 504, 498(A), 506 and 34 of the Indian Penal Code.

The informant alleged that marriage of his daughter was solemnized in the year 2004 with Md. Abbas (petitioner) as per Muslim rites. Petitioner is husband of the informant. Petitioner in drunken condition used to beat her daily and used to say that she had extra marital relation with some other boy and also demanded dowry from her father. On 16.04.2019, all the accused persons forced her to sign on divorce paper and she signed the same to safeguard her life and escaped from there.

It is submitted by learned counsel appearing on behalf



of petitioner that petitioner is innocent and has falsely been implicated in this case. No such occurrence took place and in fact, the informant was pressurizing the petitioner to live separately with his parents, as a result of which, this case has been filed against this petitioner. It is further submitted that on 17.04.2019 both parties agreed for divorce by way of *Khula Talak* and executed divorce paper before witnesses. Petitioner is in custody since 24.11.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Katihar** in connection with **Katihar Town P.S. Case No. 270 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to 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.

(Prabhat Kumar Singh, J)

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