

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11900 of 2020

Arising Out of PS. Case No.-452 Year-2018 Thana- TURKAULIYA District- East
Champaran

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SERAJ ALAM Son of Sk. Nathuni @ Sharfuddin Resident of Village -
Mahammadpur, Ward No. 9, P.S.- Banjariya, Distt - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Rajiv Nayan

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through
Video Conferencing from their residence.)

3 03-06-2020

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the
offence punishable under Sections 149, 498A, 304B, 328, 120B
and 201 of the Indian Penal Code.

Informant has alleged that marriage of her daughter
was solemnized with the petitioner on 06.03.2012 and from the
said wedlock, one male child was also born. Thereafter all the
accused persons started torturing her for non-fulfillment of
demand of Rs.15,000/- and a motorcycle. Lastly, the informant
came to know that the accused persons have concealed her.
Informant had filed complaint case which was referred to police
for institution of FIR.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It is



further submitted that informant's daughter went with someone else at her own volition and sweet will and is still traceless and informant and his family members were informed on 28.05.2018 by the petitioner about her elopement. A case was also lodged in this regard by the petitioner bearing Tukauliya (banjawiya) P.S. Case No.302 of 2018 under Sections 363, 366, 498, 379 IPC but thereafter on 19.06.2018, the informant lodged this case due to ulterior and oblique motive. Petitioner has no criminal antecedent and he is in custody since 14.10.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Turkauliya (Banjariya) P.S. Case No. 452 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

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



(3) 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.

(S. Kumar, J)

Sanjay/-

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