

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30405 of 2020

Arising Out of PS. Case No.-59 Year-2020 Thana- NAUTAN District- West Champaran

Rafique Alam @ Rafi Alam, S/o Rayasuddin @ Reyasuddin, Resident of
Village-Santpur, P.S-Nautan, District-West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tabbasum Ara, W/o Rafique Alam @ Rafi Alam, Resident of Village-Santpur, P.S-Nautan, District-West Champaran, Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Mohammad Sufyan, Advocate
For the S t a t e	:	Mr. Parmanand Kumar, APP
For the Informant	:	Mr. Sudhir Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-12-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner seeks bail in connection with Nautan P.S. Case No.59 of 2020 registered for the offence punishable



under Sections 341, 323, 307, 504, 506 and 498A of the Indian Penal Code.

Being the husband of the informant, the petitioner is an accused for driving out his wife and children after subjecting her to torture for non-fulfilment of demand for Rs.5 lacs as dowry.

Petitioner's counsel submits that the prosecution case was lodged on some misconception. The parties with intervention of common friends and well-wishers have resolved the disputes and the informant no longer wishes to pursue the case. The petitioner is in custody since 24.02.2020.

Learned counsel for the informant supports the said submissions.

Upon hearing the learned counsel for the parties, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan P.S. Case No.59 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an



affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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