

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26575 of 2021

Arising Out of PS. Case No.-136 Year-2019 Thana- KANHAULI District- Sitamarhi

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SANAULLAH USMANI Son of Late Md. Ahsanullah @ Ahsanullah
Usmani Resident of Village - Majhulia Ward No. -9, Police Station - Sadar,
District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mazharul Hassan, Adv.

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 08-12-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under section 498A of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per the prosecution case, it is stated by the informant that the three named accused persons including the petitioner herein who happens to be her husband physically and mentally tortured her for non-fulfillment of demand of dowry.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. Differences arose between the parties soon after the marriage on 30.8.2016 which led to the petitioner filing petitions dated



5.10.2016 and 1.8.2017 which have been brought on record as Annexures 4 and 5 to the petition. It is submitted that ultimately the petitioner filed a divorce petition on 15.1.2018 which was registered as Divorce Case no.12 of 2018 in the Court of Principal Judge, Family Court, Muzaffarpur. It was much thereafter that on 25.12.2019 the instant F.I.R. has been registered falsely implicating the petitioner. The petitioner is in custody since 6.12.2020.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case and the submissions made on behalf of the petitioner as referred to herein-above, the Court directs the petitioner to be enlarged on bail in connection with Kanhauli P.S. Case no.136 of 2019 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate V, Sitamarhi.

(Partha Sarthy, J)

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