

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32657 of 2021**

Arising Out of PS. Case No.-1293 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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SADAN IMAM @ SADADAN IMAM @ MUNNU Son of Late Md. Akhtar
Resident of Village - Mohalla- Seikhalam Chak, P.S. and Distt.- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kaishar Jahan W/o Mansur Alam Resident of Village - Sheikhalamchak,
P.S.- and distt.- Jehanabad, at present C/O Yusuf Mallik, Mohalla Md.
Yashin Colony, P.S.- Civil Lines , Distt. - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath
For the Opposite Party/s : Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-08-2021 Heard learned counsel for the petitioner and learned

APP for the State through virtual mode.

Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case

registered under Section 498A of the Indian Penal Code and ³/₄

of Dowry Prohibition Act.

Allegation against the petitioner is of committing

torture upon the victim due to non-fulfillment of demand of

dowry.

It has been submitted on behalf of the petitioner that



the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is brother-in-law of the victim. He has falsely been implicated in the present case due to petty family dispute. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of *Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.*

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances and also the lockdown, the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Judicial Magistrate, 1st Class, Gaya in connection with Complaint Case No. 1293 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of eight weeks to the satisfaction of the Court concerned in connection



with the aforesaid case.

(Sudhir Singh, J)

Pankaj/-

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