

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31417 of 2020

Arising Out of PS. Case No.-148 Year-2019 Thana- MAHILA P.S. District- Araria

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Md. Sazim S/o Late Md. Kurbaan Resident of Village-Karhara, Ward no.10,
P.S.-Mahalgoan (Jokihat), District-Araria.

... .. Petitioner

Versus

1. The State Of Bihar
2. Asmida Khatoon W/o Md. Sazim Resident of Village-Karhara ward no.10,
P.S.-Mahangoan (Jokihat), District-Araria.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Md. Ziaul Quamar, Advocate
For the State	:	Mr. Binod Kumar, APP
For OP No.2	:	Mr. Gopal Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 25-05-2021 Heard learned counsel for the petitioner, learned Additional Public Prosecutor for the State and learned counsel for opposite party no.2 via video conferencing.

The petitioner seeks pre-arrest bail in connection with Araria Mahila P.S. Case No.148 of 2019 registered under Sections 498A, 341, 323, 504, 506/34 of the Indian Penal Code. He has denied the allegation made in the first information report regarding subjecting the victim to cruelty for non-fulfillment of demand of dowry. It has been submitted on his behalf that marriage of the petitioner with the informant was solemnized about 10 years ago and temperamental differences between the



parties have caused matrimonial discord due to which the instant case has been registered.

Learned counsel for the State and learned counsel for the opposite party no. 2 have opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the nature of the offence, allegations made in the FIR and the submissions advanced at the Bar, the petitioner is directed to be released on bail, in the event of his arrest or surrender, 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 Chief Judicial Magistrate, Araria in connection with Araria Mahila P.S. Case No.148 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Since the court proceedings are being conducted through virtual mode, it is considered appropriate to adopt the following procedure for communication of the present order:-

- (i) The order, which has been dictated during the course of proceeding of the virtual court, shall be communicated to me electronically by the Joint Registrar-cum-Addl. PPS.
- (ii) The corrected copy of the order shall be transmitted



by me to the Joint Registrar-cum-Addl. PPS electronically, which shall be treated to be an authentic copy of the order passed by this Court in the present proceeding.

- (iii) Hard copy of the order duly signed by me shall be preserved in my residential office for documentation and future use, if any.
- (iv) Let steps be taken by the Joint Registrar-cum-Addl. PPS/registry for up-loading of the present order without compromising with the norms of social distancing.

(Ashwani Kumar Singh, J)

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