

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35248 of 2020

Arising Out of PS. Case No.-2748 Year-2009 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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TASLIM MIAN Son of Ali Hassan Mian Resident of Village- Maharajganj,
P.S.- Govindganj, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roj Mohammad Mian Son of Late Hari Mian Resident of Village-
Murdachak, P.S.- Piprakothi, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2021 Heard the learned counsel for the petitioner
and the learned APP for the State, Sri Ashok Kumar.

The petitioner seeks regular bail in
connection with Complaint Case No. 2748 of
2009, registered for the offence punishable under
Sections 323, 379 and 498(A)/34 of the Indian
Penal Code.

The allegation is regarding the petitioner's
marriage having been solemnized with the
daughter of the informant on 29.01.2006 as per
the Muslim ritual. It is further alleged that
subsequently, the petitioner, who is the husband



of the victim lady, and his family members started demanding a sum of Rs. 80,000/- and subsequently, when the demand of dowry was not fulfilled, the victim lady was ousted from her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 25.02.2020. The learned counsel for the petitioner has further submitted that the allegation levelled in the FIR is false and in fact, the petitioner is still ready and willing to keep her wife with due respect and dignity.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that the petitioner is having a clean antecedent and he is rotting in custody since 25.02.2020, I deem



it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Motihari, East Champaran in connection with Complaint Case No. 2748 of 2009.

(Mohit Kumar Shah, J)

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