

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9868 of 2021

Arising Out of PS. Case No.-29 Year-2019 Thana- MAHILA PS District- East Champaran

Sahim Alam, aged about 35 years, Male, Son of Nek Mohammad Mian
Resident of Village- Shishawa Bazar, P.S.- Paharpur, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Noornesha Khatoon, aged about 30 years, Female, Wife of Sahim Alam
Resident of Shishawa Bazar PS Paharpur, District- East Chamaran At
Present D/O Manauar Anshari R/O village Kawalpur PS Turkauliya, District-
East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar Singh
For the Opposite Party/s : Mr.Panchanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 25-06-2021 Heard learned counsel for the parties through video
conferencing.

The petitioner seeks bail in Mahila P.S. Case No. 29
of 2019, registered for the offence under Sections 341, 323, 406,
494 and 498(A) of the Indian Penal Code and Sections 3/4 of
the Dowry Prohibition Act.

As per the prosecution case, the informant was
married with petitioner on 18.12.2011 and it is alleged that after
one year of marriage, this petitioner demanded Rs. Two lacs, as
dowry, and due to non-fulfillment of the same, he committed
cruelty and torture on the informant and lastly, she was ousted
from her matrimonial home with children.

It is submitted on behalf of petitioner that petitioner is



husband of the informant and ready to keep his wife. No such occurrence has taken place. Neither petitioner has demanded any dowry nor committed any torture on the informant. Petitioner is in custody since 03.10.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts & circumstances and materials available on record, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned S.D.J.M., Sadar Motihari in connection with Mahila P.S. Case No. 29 of 2019 (G.R. No. 4304 of 2019), on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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