

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7983 of 2022

Arising Out of PS. Case No.-416 Year-2021 Thana- MADHAURAH District- Saran

Seikh Sikandar @ Seikh Sikandra, Son of Seikh Sanaullah @ Bhola Mian,
Resident of Village- Jalalpur, P.S.- Madhaura, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s: Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Madhaura P.S. Case No. 416 of 2021 registered for the alleged offences under Sections 341, 323, 498(A) and 34 of the Indian Penal Code.

As per prosecution case, petitioner is the husband of the informant and the allegation against the petitioner is that he and his family members used to torture the informant and treat her with cruelty on account of their demand of dowry. The pregnancy of the informant was aborted due to assault by the petitioner and others.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case due to malice



and grudge. There is no specific allegation against this petitioner for any overt act and the allegations are general and omnibus with other co-accused persons. The informant does not want to stay with the petitioner and she has filed the present case without any basis. Both sides are poor persons and there is false allegation of demand of dowry which is very vague. It has nowhere been mentioned what has been demanded in the dowry. Furthermore, there is no material on record to show termination of pregnancy. During investigation the material collected by the police shows the witnesses were unaware of any allegation of assault or termination of pregnancy of the informant. The petitioner is in custody since 13.12.2021 and charge sheet has been submitted. The petitioner has got clean antecedent.

Learned APP has opposes the prayer for bail.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and further considering the period of the custody of the petitioner along with the submission of charge-sheet ,the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in



connection with Madhaura P.S. Case No. 416 of 2021, subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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