

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14068 of 2022

Arising Out of PS. Case No.-43 Year-2021 Thana- MAHILA P.S. District- Saharsa

Md Shahabuddin Son Of Late Md. Alam R/O Didhiya, Ward No.04, Police
Station- Sadar Saharsa And District- Saharsa.

... .. Petitioner/S

Versus

1. The State Of Bihar
2. Kabrun Khatun D/O Md. Nasir R/O Shankarpur, Ward No.06, P.S.- Simri
Bakhtiyarpur And District- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Verma, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 12-07-2022 Heard learned counsel appearing on behalf of the

petitioner as well as learned Additional Public Prosecutor for

the State.

Application for grant of bail to the petitioner who is

in custody in connection with Saharsa Mahila P. S. Case No. 43

of 2021 registered for the offences punishable under Section

341, 498-A, 323, 504, 506, 34 of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act.

As per prosecution case, it is alleged that the

marriage of the informant was solemnized with the petitioner

on 02.06.2013 and from their wedlock, two children were born.

It is further alleged that just after the marriage, the victim was



subjected to torture by various means for demand of Rs. 5 lacs and it is also alleged that on 01.06.2021, she was ousted from her matrimonial house after snatching all her valuables.

Learned counsel for the petitioner submits that the entire allegation is exaggerated and the fact is on account of the wedlock, two children have born and they all are living happily. It is further submitted that the petitioner is husband of the informant and is ready to keep the informant with full affection, honour, love and care. It is also submitted that petitioner is in custody since 28.11.2021.

On the other hand, learned counsel for the State submits that there is specific allegation against the petitioner that he has brutally tortured the informant.

Having regard to the submissions made on behalf of the parties and taking into consideration that undertaking given by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saharsa in connection with Saharsa Mahila P.S. Case No. 43 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further



conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J.)

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