

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29866 of 2022

Arising Out of PS. Case No.-71 Year-2021 Thana- PHULPARAS District- Madhubani

INDRAJEET SAH @ INDRAJEET KUMAR SAH S/o Late Baunu Sah @
Mishra Lal Sah Resident of Village- Suriyahi, P.S.- Phulparas, District-
Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-08-2022 Heard learned counsel for the petitioner and

learned counsel for the informant as well as the learned

A.P.P. for the State.

The petitioner seeks bail in a case registered for

the offence under Sections 498(A), 494 and 34 of the Indian

Penal Code and Section 3/4 of the Dowry Prohibition Act.

The informant is subjected to assault and torture

on account of non-fulfillment of demand of dowry made by

the petitioner.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has falsely been implicated in this case merely

on the basis of suspicion. He further submits that the



petitioner happens to be husband of the informant and he has not assaulted her wife or demanded dowry in any manner. He further submits that there is general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. He further submits that the petitioner is ready to keep his wife with full dignity and honour and a statement to that effect has also been made at paragraph No. 11 of the petition. The petitioner is rotting in judicial custody since 22.04.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Phulparas P.S. Case No. 71 of 2021 (G.R. No. 254 of 2021) with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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