

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42088 of 2021

Arising Out of PS. Case No.-43 Year-2021 Thana- KUNDWACHAINPUR District- East
Champaran

MD SHAHID @ SHAHID Son of Oasi Akhtar @ Vasi Akhatar, Resident of
Village - Ajgarwa, P.S.- Banjariya, Distt.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar, Advocate
For the informant	:	Mr. Anang Mohan Sinha, Advocate
For the Opposite Party/s	:	Ms. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 01-02-2022 Heard Mr. Jitendra Kumar, learned counsel for the
petitioner, Mr. Anang Mohan Sinha, learned counsel for the
informant and Ms. Sharda Kumari, learned Additional Public
Prosecutor appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Kundwa Chainpur P.S. Case No. 43 of 2021 registered for the
offence punishable under Sections 498(A)/34 of the Indian
Penal Code 1860 and Section 3/4 of Dowry Prohibition Act.

The petitioner is husband of the informant and was
married with her according to Muslim Rites and custom on
9.6.2021. The allegation as per the First Information Report is
that at the time of marriage the father of the informant had given
a lot of gift by way of gold and silver ornaments and other



articles also. However, after marriage the petitioner started demanding dowry and due to non fulfillment of the dowry demand, the petitioner tortured the informant, physically and mentally.

Learned counsel for the petitioner submits that the allegation against the petitioner is completely false and concocted and he has not committed any offence in the manner alleged. He further submits that the allegation against the petitioner is general and omnibus in nature and he is ready and willing to keep the informant as his wife.

On the other hand, learned counsel for the informant submits that the informant/wife is not willing to live with the petitioner and on 2.3.2021 before the *Panches*, the petitioner had given assurance that he would give a sum of Rs.15,00,000/- to the informant and her family which was spent at the time of marriage by the informant side.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the fact that allegation against the petitioner is general and omnibus in nature, he is ready and willing to keep his with will full dignity and care, the petitioner is in custody since 7.3.2021 and charge sheet has already been submitted, I am inclined to grant



regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Sikrahna at Dhaka, in connection with Kundwa Chainpur P.S. Case No. 43 of 2021.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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