

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42722 of 2021

Arising Out of PS. Case No.-2933 Year-2013 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Tahir Ali S/o Peshkar Ali R/o- Boura, P.O.- Siktiya, P.S.- Kadwa, Distt.-
Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-01-2022 Heard learned counsel for the petitioner and Shri
Manoj Kumar, learned A.P.P. for the State through virtual Court
proceedings.

The petitioner seeks bail in connection with
Complaint Case No. 2933 of 2013 instituted for the offences
under Sections 406, 323, 498 of the Indian Penal Code read with
Sections 3 and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.01.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case
further he was granted anticipatory bail by this Court but the
bail bonds came to be cancelled as he could not appear in the
learned court below on one date as he had gone to Surat for



employment.

Learned counsel for the petitioner submits that after grant of anticipatory bail, the petitioner and the complainant were living happily together but for his non-appearance, the learned court below without giving any opportunity cancelled his bail bonds on account of which he surrendered in the learned court below on 11.01.2021.

Learned counsel for the petitioner submits that allegation as alleged in the F.I.R. is that the complainant was married to the petitioner about ten years ago, the petitioner along with family members was demanding Rs. 50,000/- and a motorcycle and out of the wedlock, two children were born and for non-fulfillment of dowry, the complainant was ousted from her matrimonial home.

Learned A.P.P. for the State submits that since the learned counsel for the petitioner has specifically made this submission that after grant of anticipatory bail, the complainant and the petitioner along with their children are living happily as such for the present, he is not opposing the prayer for bail of the petitioner. Learned A.P.P. submits that in the event, the statement made by the learned counsel for the petitioner based on instruction is found incorrect, then the court below be



directed to cancel his bail bonds.

Considering the fact that the petitioner is in custody since 11.01.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent and was earlier granted anticipatory bail, let the petitioner above named be released on bail on furnishing bail bond of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar in connection with Complaint Case No. 2933 of 2013. In the event, if any application is filed by the complainant before the learned court below alleging that the petitioner is not taking care of her and her children, the court below will be at liberty to cancel his bail bonds.

(Satyavrat Verma, J)

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