

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51272 of 2021**

Arising Out of PS. Case No.-31 Year-2020 Thana- MAHILA PS District- Jamui

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LALU RAZAK S/o BHUTO RAZAK R/o VILLAGE-SONPE, P.S. AND
DISTRICT-JAMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Adv.

For the Opposite Party/s : Mr. A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-01-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Jamui

Mahila P.S. Case No. 31 of 2020 registered for the offence

under Sections 498A, 494 and 506 of the Indian Penal Code

and Section 3/4 of the Dowry Prohibition Act.

The petitioner is said to have performed second

marriage and ousted her first wife (informant) from her

matrimonial home on account of non-fulfillment of demand

of dowry.



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. In fact, the petitioner has been made accused in this case at the instance of his first wife whereas the informant herself has deserted the petitioner. The petitioner also admits that he has performed second marriage after desertion from his first wife and even then he is ready to keep the informant with full honour and dignity. Statement to that effect has been made in paragraph-5 of the petition. The petitioner has never demanded any dowry from the informant in any manner. The petitioner is rotting in judicial custody since 11.06.2021.

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 S.D.J.M., Jamui in connection with Jamui Mahila P.S. Case No. 31 of 2020 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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