

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42429 of 2022

Arising Out of PS. Case No.-197 Year-2021 Thana- BARSOI District- Katihar

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Iftekhar Alam S/o Late Abdul Latif R/o village- Sinhagaon, P.S.- Barsoi,
District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 02-11-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barsoi P.S. Case No. 197 of 2021 in S.T./ No. 255 of 2022
lodged under Sections 341, 323, 504, 379, 498(A)/ 34 of the
I.P.C. read with Section 3/4 Dowry Prohibition Act.

As per the prosecution case, the F.I.R. has been
lodged by the informant's wife alleging that her marriage was
solemnized with the petitioner and after marriage, husband has
forced her to leave his house on many occasions and only after
interference of the panchayati, she returned to her Sasural. It has
been alleged that on the said date of occurrence, the petitioner

along with 2 named accused persons have brutally assaulted the informant and thrown her from the house demanding Rs. 2 lakh as dowry. The allegation of taken clothes and jewellery is also there in the F.I.R. The allegation against the petitioner is that he is not ready to obey the decision of the Panchayat, thereafter the present case has been filed.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He submits that petitioner is a man of clean antecedent. He further submits that charge sheet has already been filed in this case and subsequently, charge has also been framed under Sections 307, 341, 504, 498(A) and 34 of the I.P.C. read with Section 4 of Dowry Prohibition Act. Learned counsel for the petitioner further submits that Session trial is also going on. The petitioner is in custody since 13.12.2021. The specific stand of the petitioner is there in the petition that informant is already married and was blessed with 2 children. It has also been alleged in para-10 that informant is in habit of marrying with different persons.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant appeared in this

case and vehemently opposes the prayer for bail and submits that the plea taken by the petitioner of marrying with different person is out and out false. It is due to the brutal behaviour of the petitioner, she is not living with the petitioner particularly, when the petitioner is not ready to obey the decision of the Panchayat.

Learned counsel for the informant admits that trial of the case is going on.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge V, Katihar in connection with S.T. No. 255 of 2022 arising out of Barsoi P.S. Case No. 197 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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