

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48404 of 2022

Arising Out of PS. Case No.-87 Year-2021 Thana- MAHILA P.S. District- Muzaffarpur

Md Anjar Son of Md. Islam Resident of Village - Hanuman Nagar , Tola
Dhaniya, P.S.- Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nazani Khatoon W/o Md. Anjar , D/o Md. Taslim @ Nadaf Resident of
Village - Bakhri, PO.- and P.s.- Katra, Distt.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Ms. Asha Devi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-11-2022 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the informant and learned A.P.P.
for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections 315, 323,
341, 504, 506, 498A and 34 of the Indian Penal Code and
Section 3/4 of the Dowry Prohibition Act.

According to the prosecution case, the husband
along with his family members assaulted the informant after
knowing the fact that she is pregnant because of non-fulfillment



of demand of dowry.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact, the petitioner is the husband of the informant. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner.

The learned counsel for the informant as well as learned counsel for the State have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one. They further submits that the petitioner has performed second marriage.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Court below where the case is pending in connection with Mahila P.S. Case No. 87 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal



Procedure and with other 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

vanisha/-

U		T	
---	--	---	--

