

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53433 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- SIKARPUR District- West Champaran

MD. TABREJ Son of Parvej Ahmed R/V- Dhumnagar, P.S- Shikarpur, Dist-
West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jugneyara Khatoon W/o Md. Tabrej and D/o Late Faizyullah R/V-
Dhumnagar, P.S- Shikarpur, Dist- West Champaran At present Village-
Murja, P.S- Ramnagar, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, A PP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 08-12-2022 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.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

The petitioner is apprehending his arrest in a case
registered for the offences punishable under Sections
341,323,498(A) and 34 of IPC and Sections 3 and 4 of
D.P.Act.

The prosecution case, in short, is that the allegation
against the petitioner is of committing torture upon the victim



due to non-fulfillment of demand of dowry.

Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. Further submits that the allegation as alleged in the FIR is false and fabricated and no such occurrence has taken place. Further submits that the petitioner is ready to pay Rs.3,000/- (Three Thousand) per month to the informant.

Learned counsel for the informant shall supply the Bank details of the informant to the learned counsel for the petitioner and the petitioner shall deposit Rs.3,000/- (Three Thousand) per month in the account of the informant. This amount shall be subject to the outcome of the maintenance case. The bank details of the informant is as follows:-

Name of the Account Holder- Jugneyara Khatoon.
State Bank of India. A/C No.39502027593. IFSC Code-
SBIN0002997.

Learned counsel for the informant further informs that the informant is proposing to file maintenance case before the learned Principal Judge, Family Court, Bettiah West Champaran.

In view of the aforesaid, 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 learned court below where the case is pending in connection with Shikarpur P.S. Case No. 119 of 2022, 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 their absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(2) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) If the petitioner shall not deposit the amount in the account of the informant, the informant shall be at liberty to move before the learned court below for cancellation of bail bond of the petitioner.



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 antecedents, 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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