

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67454 of 2021

Arising Out of PS. Case No.-384 Year-2021 Thana- DHAKA District- East Champaran

SADDAM HUSSAIN Son of Zikurullah Resident at Village - Ramjee Dubey
Tola (Visamberpur), P.S.- Dhaka, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 498(A),494,307,323,506,34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

In the written application given to police the informant has alleged that her husband entered into marriage with another lady and he and his family members started torturing to the informant and her daughter and tried to set on flame to the informant so she fled away from her in-law's residence.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that in fact the petitioner has performed second marriage with another lady namely, Tabina Khatoon so the informant has falsely implicated the petitioner in the present case. He further submits that as per allegation as above but there is no injury report to substantiate the allegation as alleged in the FIR and the petitioner is in custody since 03.08.2021.

Learned A.P.P. for the State as well as learned counsel for the informant have opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Dhaka Police Station Case No.384 of 2021, 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 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.

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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