

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68211 of 2021**

Arising Out of PS. Case No.-89 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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MD. NAUSHAD QURAISHI Son of Md. Salim Quraishi @ Munna Resident
of Village - Nackchhed Tola, Ward No.12, P.s.- Motihari Town, Distt.- East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

2 11-02-2022 Heard learned counsel for the parties through video
conferencing.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 498A of the
Indian Penal Code and sections 3 and 4 of the Dowry
Prohibition Act.

As per the prosecution case, the informant was
married to the petitioner as per Muslim rites and customs on
17.11.2018. Soon thereafter the accused persons including the
petitioner herein started to torture the informant for dowry and
ultimately as a result of the physical and mental torture and
fearing for her life, the informant had to leave her sasural.

It is submitted by learned counsel for the petitioner



that the petitioner has been falsely implicated in the case. Even today he is ready to keep the informant with all respect and dignity to which a lady is entitled. In fact the petitioner has filed a Case no. 31 of 2021 praying for restitution of conjugal rights and the same is pending in the Family Court, Motihari, East Champaran. The petitioner is in custody since 28.8.2021 and has no criminal antecedent. Charge sheet has been submitted in the case.

The application for bail is opposed by learned APP for the State and learned counsel for the informant who has appeared suo moto. It is submitted by learned counsel for the informant that the submissions made on behalf of the petitioner that he is ready to live amicably with the informant is only for the purpose of getting bail. The petitioner is consciously not appearing in Maintenance Case no. 141 of 2020 which is pending in the Court of Principal Judge, Family Court, Bettiah.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for five months and charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bettiah Town P.S. Case no. 89 of 2021 on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, West Champaran at Bettiah subject to the following conditions :

The petitioner shall immediately appear in Maintenance Case no. 141 of 2020 filed by the informant and pending in the Court of Principal Judge, Family Court, Bettiah and shall cooperate in the said proceeding.

(Partha Sarthy, J)

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