

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69836 of 2021

Arising Out of PS. Case No.-741 Year-2021 Thana- PHULWARISHARIF District- Patna

MD. MERAJ ALI, son of Md. Salam, resident of Chamapapur, Bakhtiyarpur,
PS Phulwari Sharif, Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Akash Kumar, Advocate
		Mr. Kanak Verma, Advocate
For the Opposite Party/s	:	Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

6 29-08-2022 Heard Mr. Akash Kumar, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned counsel for the
State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Phulwari Sharif P.S. Case No. 741 of 2021 for the offences
under Sections 420, 406 and 376/34 of the Indian Penal Code
and Section 3/4 of the Dowry Provision Act.

As per the allegation in the FIR, the marriage of the
informant was fixed with the petitioner and although pursuant
thereto, the same was not solemnized, he kept on taking money
and jewellery and also started black-mailing through the videos



and photos which forced us to lodge this FIR.

In the case, case diary was called for on 11.07.2022 which has since been received.

Learned counsel for the petitioner with the support of the certified copy of the deposition made by the victim lady (P.W.2) before the Trial Court has stated that she has changed the narrative from what was alleged in the FIR and that she only wanted to get the marriage solemnized.

Let the certified copy of the victim lady be kept on record.

Mr. Bharat Bhushan, learned APP for the State has gone through the certified copy of the deposition of the victim girl and has checked the same and has conceded that she has changed her narrative in the deposition vis-a-vis in the FIR.

Taking into account the aforesaid fact of the deposition of the victim lady as also the fact that he is in custody since 03.09.2021 (as stated in paragraph-11 of the bail application) and he has no criminal antecedent, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of ACJM-IX, Patna in



connection with Phulwari Sharif P.S. Case No 741 of 2021,
subject to the following conditions.

(i) one of the bailor should be the family member of
the petitioner, who shall provide official document to show
his/her *bona fide*;

(ii) he shall appear before the court below on each
and every date failing which the bail application of the
petitioner shall be cancelled;

(iii) he shall in no way try to induce or promise or
threat the witnesses or tamper with the evidence, failing which
the State shall be at liberty to take steps for cancellation of his
bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/-

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

