

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3423 of 2023

Arising Out of PS. Case No.-170 Year-2022 Thana- GURUA District- Gaya

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SANAULLAH @ MD. SANDULAH S/O LATE TAIYAB MIAN Resident of
village- Gudar Pakri, P.S.- Gurua, District- Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAJIYA PRAVEEN W/O SANAULLAH, D/O MD. SHARIF MIYAN
Resident of village- Gudar Pakri, P.S.- Gurua, District- Gaya. Presently
Residing at village- Paranpur, P.O.- Panti, P.S.- Kasma, District-
Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar No.6, Advocate
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-04-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
23.10.2022 in connection with Gurua P.S. Case No.170 of
2022, F.I.R. dated 02.06.2022 registered for the offence
punishable under Sections 498(A)/34 of IPC and Sections 3/4
of the Dowry Prohibition Act.

Allegation against the petitioner is that he has
committed the cruelty with the informant for the demand of
dowry.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been



implicated in the present case mainly on the basis that the petitioner is husband of the informant. Further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons including the petitioner. There is no specific allegation of any assault or overt-act against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.10.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, 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 Judicial Magistrate 1st Class, Sherghati, Gaya in connection with Gurua P.S. Case No.170 of 2022, 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.

(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)

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