

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8571 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- MADHEPUR District- Madhubani

Md. Naim Akhtar S/o Md. Tahir @ Bachwa, R/o Village- Pachahi, Ward No. 10, P.S.- Madhepur, Distt- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Adv.
For the State	:	Mr. Sanjay Kumar, APP.
For the Informant	:	Mr. Baleshwar Kamat, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Madhepur P.S. Case No. 15 of 2022, dated 21.01.2022 lodged under Sections 341, 323, 498(A), 504, 506/34 of the Indian Penal Code.

As per prosecution case, the informant had disclosed that marriage of his daughter was solemnized with the petitioner. From the said marriage she had three children. It has been stated by the informant that the dead body of his daughter is become trace less, upon receiving information he started



searching for his daughter but there was no trace. Upon query from the petitioner, no proper response were made lastly after the 14 days of alleged occurrence he filed the F.I.R.

Learned counsel for the petitioner submits that the wife of petitioner herself left him. He further submits that the marriage was solemnized between the petitioner and informant's daughter 15 years back, they were leading happy conjugal life and they have three children aged about 12 years, 8 years and 3 years respectively. Learned counsel for the petitioner further submits that petitioner is in custody since 08.09.2022 and antecedent of petitioner is clean. He also submits that F.I.R. has been filed after delay of 14 days.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that about the elopement of informant's daughter it is the petitioner who is responsible and bail may not be granted to him.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to



the satisfaction of learned J.M.-Ist, Jhanjharpur, District Madhubani in connection with Madhepur P.S. Case No. 15 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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