

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.20385 of 2023**

Arising Out of PS. Case No.-55 Year-2018 Thana- MAHILA P.S. District- Bhagalpur

Md. Shah Faisal @ Md. Shah Faizal S/O Md. Fahimuddin R/O Mohalla-  
Kaura Maidan, P.S- Kotwali, Distt.- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Md. Najmul Hodda, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE KHATIM REZA**

ORAL ORDER

2      22-05-2023                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Bhagalpur Mahila P.S. Case No. 55 of 2018 dated 03.10.2018, instituted for the offence punishable under Sections 498(A), 323, 341, 504, 506, 34 of the Indian Penal Code and  $\frac{3}{4}$  of D.P. Act.

3. The prosecution case, in brief, is that informant (wife) got married to petitioner (husband) on 14.04.2018 and soon after the marriage, the petitioner along with his family member start making dowry demands of Rs. 5 lakh and 200 gm of gold biscuit from the informant and assaulted her. On 10.08.2018 on non-fulfillment of dowry demands, petitioner and his family member physically assaulted the informant and



thereafter, left her in her parent's house after taking possession of all her valuable jewellery.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he is falsely implicated in this case. It is further submitted that the petitioner is the husband of the informant. He further submitted that prior to the present case the petitioner filed a divorce suit *vide* Matrimonial Case No. 191 of 2018 against the informant due to which the petitioner has been made accused in this case. Lastly, it has been submitted that the petitioner is in custody since 30.01.2023, having no criminal antecedents and charge-sheet has been submitted in the case.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Bhagalpur in Bhagalpur Mahila P.S. Case No. 55 of 2018.

**(Khatim Reza, J)**

Sankalp/-

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