

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22493 of 2023

Arising Out of PS. Case No.-575 Year-2020 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

MD. MAHBOOB SHEIKH, S/O- LAL BABU SHEIKH Village- Parwaha
Khap Tola Ps- Parihar Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ishrat Khatoon wife of Md. Mahboob Sheikh Village- Chandpura Ps- Bela
Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 23-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant
of regular bail in connection with Complaint Case No.
C-1/575/2020 Tr. No. 3939 of 2022 dated 26.08.2020 registered
for the offences punishable u/s 498A of the Indian Penal Code
and u/s 3/4 of the Dowry Prohibition and Excise Act.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have subjected the complainant



to cruelty due to non-fulfillment of Rs. 5 lakhs as dowry.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. He has further submitted that the petitioner is the husband of the complainant who is in custody since 19.12.2022.

Learned A.P.P. for the State has vehemently opposed the prayer of bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Sadar, Sitamarhi in connection with Complainant Case No. C-1/575/2020.

The application stands allowed.

(Chandra Prakash Singh, J)

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