

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38580 of 2023**

Arising Out of PS. Case No.-1486 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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Sarwar Raja @ Sarwar Ali, Son Of Md. Sirajul @ Sirajuddin, Resident of
Village - Khijirpura, P.S. - Keshariya, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gulshan Khatoon Daughter of Nurul Imam Resident of Village - Dhangarha,
P.S. - Baniyapur, District - Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

2 28-06-2023 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. 1486/ 2017
dated 17.05.2017 registered for the offences punishable u/ss 498A,
of the Indian Penal Code corresponding to Tr. No. 2027/2023.

As per the prosecution case, the petitioner and the
co-accused persons are alleged to have tortured the complainant
mentally and physically due to non-fulfillment of demand of
Honda motorcycle and Rs. 50,000/- as dowry and she was ousted



from the matrimonial home.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The present case has been lodged against the petitioner after lapse of 8 years of marriage. He has further submitted that the petitioner neither demanded any dowry nor tortured the Complainant. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is the husband of the complainant who is in custody since 15.02.2023.

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, Chapra, Saran in connection with Complainant Case No. 1486/ 2017.

The application stands allowed.

(Chandra Prakash Singh, J)

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