

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41708 of 2023

Arising Out of PS. Case No.-42 Year-2023 Thana- IMADPUR District- Bhojpur

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Akbar Ali @ Sonu Son Of Mojuibuddin Ansari Resident Of Village-
Bahadurpur, Ps- Imadpur, Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-08-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
08.05.2023 in connection with Imadpur P.S. Case No. 42 of
2023, F.I.R. dated 07.05.2023 for the offences punishable under
Sections 341, 323, 504, 498(A) & 34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

3. According to prosecution case, the informant is
said to have been assaulted and harassed on demand of dowry
by her in-laws.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case mainly on the ground that the
petitioner is the husband of the informant. He further submits



that the petitioner has never demanded any dowry from the family member of the informant and the allegation as alleged in the F.I.R. is that the petitioner has assaulted the informant but the injury report suggests that the injury is simple in nature. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 08.05.2023.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, 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 the Miss Anita Kumari, learned Judicial Magistrate – Ist Class, Bhojpur at Ara in connection with Imadpur P.S. Case No. 42 of 2023, subject to the following conditions:-

i. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. 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.

iii. 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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