

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45102 of 2023**

Arising Out of PS. Case No.-404 Year-2021 Thana- KATIHAR NAGAR District- Katihar

Md. Ezaz Ahmad @ Guddu @ Ezaz @ Ajaj Ahmad Son Of Md. Ibrahim
Village- Kadwa Rampara Ps- Katihar Nagar Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Akshay Lal Pandit

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

4 11-09-2023 Heard learned counsel for the petitioner, leaned
counsel for the informant and learned APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 354, 379, 498A, 506, 504, 34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

As per prosecution case, the allegation against the accused persons including the petitioner is that they used to torture the informant due to non-fulfillment of dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Due to motorcycle accident the informant sustained simple injuries



near her right ear and the petitioner is a handicapped person and due to family dispute he has falsely been implicated in this case. He has got no criminal antecedent. It is further submitted that the petitioner suo-motu surrendered before the Court below on 03.05.2023 since then he is languishing in judicial custody.

It is submitted by learned counsel for the informant that informant seeks some maintenance for her survival as she is a housewife and she is unable to maintain herself.

Learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give **Rs. Three Thousand** per month as maintenance from this month,(September, 2023) subject to furnishing bank account number by the informant to the petitioner.

Learned counsel for the informant is directed to furnish account number of the informant to the petitioner within a period of one week from today.

On receipt of the bank account number of the informant, the petitioner shall deposit **Rs. Three Thousand (Rs. 3,000/-)** every month commencing from September, 2023 as maintenance in the account furnished by the informant.

Having heard learned counsel for the parties and



considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Katihar Town P.S. Case No. 404 of 2021 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

The Trial Court is directed to make effort for settling the dispute which arose between the parties.

(Sunil Kumar Panwar, J)

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