

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50660 of 2023

Arising Out of PS. Case No.-27 Year-2023 Thana- SOHSARAI District- Nalanda

MD. TAUFEEK ALAM @ MD. TAUFIC SON OF LATE MD. QAMRUDIN
RESIDENT OF MAHUA TOLA, PS- SOHSARAI, DISTT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha, ADvocate
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Sohsarai P.S. Case No.27 of 2023 registered for the offences punishable under Sections 498(A), 304(B) and 34 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner, who is younger brother of the husband of the deceased, is that he was involved in torturing of the deceased for non-fulfillment of demand of dowry who was later on found dead.

4. Learned counsel for the petitioner submits that specific allegation of demand of dowry has been made against



the husband of the deceased and the husband is already in judicial custody as stated in paragraph '10' of the application. Learned counsel submits that this petitioner is said to be the younger brother of the husband and has been falsely implicated in this case only because he is kith and kin of the husband of the deceased. It is submitted that the petitioner is living separately and he has no concern with the family of the deceased and her husband.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the specific allegation of demand of dowry has been made against the husband of the deceased, the husband is already in judicial custody as stated in paragraph '10' of the application, this petitioner is said to be the younger brother of the husband and has been falsely implicated in this case only because he is kith and kin of the husband of the deceased, he is living separately and has no concern with the family of the deceased and her husband, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Sohsarai P.S. Case No. 27 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

