

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65702 of 2023**

Arising Out of PS. Case No.-156 Year-2019 Thana- GAYA KOTWALI District- Gaya

Saleha @ Saleha Khatoon @ Shaleha W/O Md. Altaf Hussain @ Mahmood
Alam R/O Village- Faruki, Jama Masjid, P.S- Kotwali, Distt.- Gaya(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aryan Singh

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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

2 17-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 498A, 364 and 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

3. Allegation against the petitioner along with other co-accused persons is that they tortured the informant's sister and also assaulted her due to non fulfillment of dowry demand.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is mother-in-law of the victim(daughter-in-law) due to which she has falsely been implicated in this case. She has no concern with mess and business of the victim and also she is



living separately from them. During investigation, no any consistent material has found against the petitioner. The husband of the victim has already been granted bail by another co-ordinate Bench of this Court vide order dated 24.11.2020 in Cr. Misc. No. 24143 of 2020. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 30.05.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. 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 Gaya Kotwali P.S. Case No. 156 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Gaya.

(Sunil Kumar Panwar, J)

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