

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73822 of 2022**

Arising Out of PS. Case No.-93 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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Md. Sahabaj @ Md. Sahbaj Son Of Md. Mahmud Resident Of Village- Purbi
Gharari, P.S.- Kharik Dist Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Julee Khatoon Wife Of Md. Sahabaj @ Md. Sahbaj, D/O Md. Jasim
R/O Village- Purbi Gharai, P.S.- Kharik, District- Bhagalpur, Presently
Residing At Village- Purbi Gharari (telghi Tola), P.S.- Kharik, District-
Bhagalpur (complainant)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh
For the Opposite Party/s : Mr.Ram Sumiran Rai

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-03-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 147, 149, 323, 504,

307, 498(A), 406/34 of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act. But, cognizance

has been taken under Section 147, 323, 504,

498(A)/34 of the Indian Penal Code and Section 3/4 of

the Dowry Prohibition Act.



It is a case of cruelty due to non fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that the complainant has left her matrimonial house (Sasural) at her own will. It is further submitted that petitioner is ready to keep his wife with dignity but complainant is not inclined to live with his husband (petitioner). The petitioner has suo-motto surrendered before the court on 01.09.2022 and since then he is languishing in judicial custody. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody,



this Court is inclined to enlarge the petitioner on bail.

The above named petitioner is directed to be enlarged on bail in connection with Complaint Case No. 93 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Naugachia, Bhagalpur.

(Sunil Kumar Panwar, J)

nirajkrs/-

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