

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76356 of 2023

Arising Out of PS. Case No.-1717 Year-2009 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Sita Ram Sah (Azad) @ Sita Ram Azad @ Sita Ram Sah, aged about 48 years, Male Son of Late Nirati Sah, Resident of Village -Lakshminia, Tiri, Ward No. 1, P.S.- Saur Bazar, District- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Madhuri Devi, Daughter of Lal Sah Wife of Sitaram Azad, Resident of Village- Lakshminia, P.S.- Saur Bazar, District- Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rupesh Kumar, Advocate
For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 02-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Purnia Complaint Application Case No.1717 of 2009 instituted for the offences punishable under Sections 498(A), 494 of the Indian Penal Code.

3. As per the allegation, it is a case of assault due to non-fulfillment of dowry demand by the accused persons.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case on account of dirty village politics and petitioner has got clean antecedent as stated in paragraph no. 3 of the petition.



5. However, learned APP for the State opposes the prayer for bail of the petitioner and submits that the petitioner has not paid the maintenance amount of his wife and daughter along with litigation cost as directed by the learned trial Court and thereafter non-bailable warrant was issued against the petitioner and the petitioner was taken into judicial custody.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in connection with Purnea Complaint Application Case No. 1717 of 2009 with the following conditions that it shall be fulfilled till the date of furnishing of bail bonds:-

(i) All the pending maintenance amount shall be paid to the opposite party no. 2 (wife) and daughter.

(ii) All the pending litigation cost decided by the learned trial Court shall be paid to the opposite party no. 2.

(Ramesh Chand Malviya, J)

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