

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9252 of 2024

Arising Out of PS. Case No.-33 Year-2023 Thana- MAHILA PS District- Jehanabad

Mohammad Shakil Hasan @ Mohammad Shakil son of Md. Aziz Hasan, R/o
Moh- Baignabad Ps- Biharsharif Dist- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj, Adv.

For the Opposite Party/s : Mr.Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Jehanabad Mahila PS Case No. 33 of 2023 dated 05-10-2023,
instituted under Sections 498(A), 494, 354(B), 341, 323, 504,
506 and 34 of the Indian Penal Code.

3. There is allegation of torture and harrassment by
the accused persons, including the present petitioner, who is
maternal uncle of the husband of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is submitted that petitioner is material uncle (*Mama*) of
the husband of the informant. There is no specific allegation
against the petitioner. The main allegation is against the husband



and in-laws of the informant. The petitioner was living separately from husband of the informant, who would be primarily responsible for the safety and dignity of the informant, if at all. It is next submitted that husband of the informant has already filed a Matrimonial case bearing Matrimonial Case No. 23 of 2017 in the Court of Principal Judge, Nalanda for restitution of conjugal rights. It is stated that petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Jehanabad, in Jehanabad Mahila PS Case No. 33 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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