

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71460 of 2024

Arising Out of PS. Case No.-625 Year-2004 Thana- COMPLAINT CASE District- Supaul

Md Abdul Samad @ Abdul Samad @ Samad Son of Md. Sikandar, Resident
of Vill- Partapur, Barkhurwa, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Virjis Khatoon W/o Abdul Samad, D/o- Md. Shahabuddin, R/o Vill-
Partapur, Barkhurwa, P.S.- Triveniganj, District- Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nafisuzzoha, Advocate
For the State	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Complaint Case No. 625C of 2004 dated
13.08.2004, registered for the offences punishable under
Sections 323, 498(A) and 379/34 of the Indian Penal Code and
Section 3 of Dowry Prohibition Act.

3. As per the allegation, the petitioner has subjected
the complainant/wife to cruelty on account of non-fulfillment of
demand of dowry.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this



case. He further submits that on account of non-working of the marriage, this false complaint case has been filed by the wife against the petitioner. Moreover, the maximum punishment for the alleged offence is 3 years.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. S.D.J.M., Supaul in connection with Complaint Case No. 625C of 2004, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

ravishankar/-

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

