

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33204 of 2025

Arising Out of PS. Case No.-165 Year-2023 Thana- ABADPUR District- Katihar

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Sajmul Ali @ Sajimul Haque @ Sajimul Ali S/o Abdul @ Abdul Rahman
Resident of Village- Bajidpur, Police Station- Abadpur, District- Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Runa Khatoon W/o Sajmul Ali @ Sajimul Haque @ Sajimul Ali @ Sajimul
R/o Bishar, P.S.- Raniganj, Distt.- Uttar Dinajpur (West Bengal)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s	:	Mr.Raj Ballabh Singh, APP
For the Informant	:	Mr. Bhola Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2025 Heard Mr.Ajit Kumar Singh, learned counsel for the

petitioner, Mr. Bhola Prasad, learned counsel for the informant

and Mr.Raj Ballabh Singh, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
04.01.2025 in connection with Abadpur P.S. Case No. 165 of
2023, F.I.R. dated 03.11.2023 registered for the offence
punishable under Sections 498A,406,384,307,376,511,34 of IPC
and Sections 3/4 of Dowry Prohibition Act.

3. Allegation against the petitioner and other co-
accused persons is of committing torture upon the victim due to
non-fulfillment of demand of dowry.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is in custody since 04.01.2025 and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Earlier the petitioner has been granted regular bail vide order dated 16.01.2024 by the learned court below with certain conditions and the petitioner has not fulfilled the conditions so the learned court below has cancelled the bail bond of the petitioner. Learned counsel for the petitioner, on instruction, submits that the petitioner is ready to pay Rs.4,000/-(Four Thousand) per month to the complainant/informant as interim maintenance, subject to the result of the maintenance case, if any.

5. Learned counsel for the informant and learned APP for the State have vehemently opposed the prayer for bail of the petitioner but learned counsel for the informant fairly submits that the petitioner is ready to pay Rs.4,000/-(Four Thousand) per month to the complainant/informant as interim maintenance, he has no objection.

Bank details of the informant/complainant is as follows:

Name: Runa Khatoon.



S.B.I.A/C No.34427536239

IFSC Code:SBIN0008927.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail 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, Katihar in connection with Abadpur P.S. Case No. 165 of 2023, with the following conditions:-

(I) At the time of furnishing bail bond, the petitioner shall deposit Rs. 4000/-(Four Thousand) by way of demand draft in favour of informant/complainant and the learned court below is directed to hand over the said demand draft to the complainant/informant or her representative and petitioner shall deposit Rs. 4000/-(Four Thousand) as interim maintenance per month in the account of the informant/complainant. If the petitioner fails to deposit Rs. 4000/-(Four Thousand) as interim maintenance to the informant/complainant, the informant/complainant shall be at liberty to move before the appropriate forum for cancellation of bail bond of the petitioner.

(II) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(IV) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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