

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52000 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- SABAUR District- Bhagalpur

Md. Javed S/O Md. Khalil R/O Vill.- Rajpur Ward no. 18, P.S.- Sabour, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-08-2025 Heard Mr. Indeshwari Prasad Mandal, learned
counsel for the petitioner and Mr. Bhanu Pratap Singh, learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Sabour P.S. Case No. 332 of 2024, F.I.R. dated 15.09.2024 for the offences punishable under Sections 126(2), 115(2), 76, 85, 3(5) of the Bhartiya Nyay Sanhita, 2023.

3. As per the First Information Report, the informant's husband works in Gujarat and she stays at home with three children. From last two month, informant's in-laws used to torture and tried to kill the informant and the petitioner tried to do wrong things with her. It is further alleged that on 12.09.2024, all the accused persons came to informant's room and started abusing, beating and the petitioner with wrong intention caught her and dragged her out of the house and threw



her on ground and also assaulted her son. The accused persons threaten her to bring Rs. 2,00,000/- as dowry so she can stay at home.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case and the petitioner is the brother-in-law of the informant. It appears from the FIR that there is no specific allegation of assault or overt act or demand of dowry against the petitioner rather the allegation levelled against all the accused persons including the petitioner is general and omnibus.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, there is no specific allegation against the petitioner and the petitioner has clean antecedent, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 the learned Chief Judicial Magistrate, Bhagalpur in connection with Sabour P.S. Case No. 332 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure / Section 482(2) of the Bhartiya Nagarik
Suraksha Sanhita and with other following conditions:-

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

ii. 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.

iii. 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 bond 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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