

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55793 of 2024

Arising Out of PS. Case No.-406 Year-2023 Thana- COMPLAINT CASE District-
Kishanganj

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Maskoor Alam @ Md. Maskoor Alam (Male), aged about 30 years, Son of
Md. Jamal @ Mohammad Jamaluddin, Resident of Gachhpara Kolha, Police
Station - Kishanganj, District - Kishanganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rabina Khatoon Wife of Maskoor Alam @ Md. Maskoor Alam D/o Aub Ali,
R/o Lahra Fulbari, P.S. - Kishanganj, District - Kishanganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate
For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 18-01-2025 Heard Mr. Amal Kumar Sinha, learned counsel

appearing on behalf of the petitioner and Dr. Kumar Uday
Pratap, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with Complaint Case No. 406c of 2023, registered for the
offence punishable under Sections 498A and 323/34 of the
Indian Penal Code.

3. As per the allegation made in the complaint, due to
non-fulfillment of demand of dowry, the petitioner and his
family members committed cruelty and tortured the complainant
and thereafter they forcibly ousted her from her matrimonial
house.



4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is innocent and has falsely been implicated in the present case. He further submitted that petitioner is ready to live along with the opposite party no. 2 and will keep the opposite party no.2 with full dignity and honour and in this regard, he has made a specific statement in paragraph no. 10 of the bail application. On these grounds, petitioner seeks to be released on pre-arrest bail.

5. The opposite party no. 2 has remained unrepresented in spite of notices having been served upon her.

6. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

7. Considering the nature of allegation made in the complaint, as well as, the statement made in paragraph no. 10 of the bail application by the petitioner, the petitioner, above named, is directed to be released on pre-arrest bail, in the event of his/her arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Kishanganj, in connection with Complaint Case No. 406c of 2023, subject to the condition as



laid down under Section 438(2) of the Cr.P.C.

8. The learned District Court is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will lose its force automatically.

(Purnendu Singh, J)

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