

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86108 of 2024

Arising Out of PS. Case No.-259 Year-2024 Thana- GHORASAHAN District- East
Champaran

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Nausad Alam Son of Ejajul Hak Resident of Village - Sekhauna, P.S. -
Ghorasahan, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mohammed Samim W/O- Late Shekh Saheb Resident of Village - Chainpur
Dhaka, P.S. - Dhaka, District - East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Adarsh Ranjan, Advocate
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 16-04-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Ghorasahan P.S. Case No. 259 of 2024 instituted for the offence
under Sections 498A, 365 & 34 of the Indian Penal Code and
Sections 3/4 of the POCSO Act.

3. The complainant alleges that his daughter was
harassed for dowry and eventually driven out by the petitioner
and his family. Despite assurances, the abuse continued, and she
has now gone missing under suspicious circumstances. The
petitioner is also alleged to have a second wife.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 11-09-2024. Petitioner bears one criminal antecedent/s, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that petitioner has become the victim of the circumstance as he is the husband. Learned counsel submits that victim herself left the matrimonial home and she is not coming back to her sasural. Learned counsel for the petitioner submits that family member of the petitioner has represented before the senior police official of the district for recovery of the victim. Charge sheet is submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Victim is traceless and petitioner is the husband, hence, he does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, petitioner being the husband and specifically taking into account the fact that victim is still traceless, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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