

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.37044 of 2016

Arising Out of PS.Case No. -108 Year- 2016 Thana -RIVILGANJ District- SARAN

Vinayak Prasad Soni @ Vinayak Prasad, Son of Chhathilal Prasad, Resident of Village – Fersa Fulwariya, Police Station – Garkha, District – Saran at Chapra.

.... Petitioner/s

Versus

1. The State of Bihar
2. Guriya Kumari, Wife of Vinayak Prasad Soni @ Vinayak Prasad, Daughter of Awadh Kishore Soni, Resident of Mohalla – Near Central Bank of India, Rivilganj, P.S. – Rivilganj, District – Saran at Chapra.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Binod Singh

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 08-09-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is languishing in custody since 06.06.2016 in a case registered for the offences punishable under Sections 323, 498A, 307, 379/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant Guriya Kumari was married with the petitioner in the year, 2012 but thereafter torture was inflicted for non-fulfillment of the dowry demand. The accused persons including the petitioner went to the parents' house of the informant to bring her back to the matrimonial house when the petitioner and others assaulted the father, mother and brother of the informant for which Complaint Case No. 1586 of 2016 was lodged.

It is submitted by learned counsel for the petitioner that the petitioner is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 8 of the petition, which reads as follows:-

“That the informant is having two issues from the wedlock and the petitioner is also ready to keep her inasmuch as he had gone to her parents place to bring her back but she has implicated him in a false case and sent him to jail.”

It is further submitted that the injury of the informant has been found to be simple in nature, though, she received injury due to fall. Moreover, investigation has already concluded.

Considering the fact that the investigation has already concluded, let the above named petitioner, be released

on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIIIth, Saran at Chapra in connection with Rivilganj P.S. Case No. 108 of 2016.

(Dinesh Kumar Singh, J)

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