

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26852 of 2017

Arising Out of PS.Case No. -71 Year- 2016 Thana -MAHILA P.S. District- PATNA

1. Pravin Kumar Prasad, aged about 30 years, S/o Sri Krishna Prasad, resident of Municipal Market, Bhawar Pokhar, P.S.- Pirbahore, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Monika W/o Praveen Kumar Prasad, resident of Municipal Market, Bhawar Pokhar, P.S.- Pirbahore, District- Patna at present address D/o Late Ram Kumar Prasad, resident of New Zero Mile, Prakash Path, P.S.- Ahiyapur, District- Muzaffarpur.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in jail since 21.03. 2017 in a case registered for offences punishable under Sections 323 & 498 (A)/34 of the Indian Penal Code and under Section 3 and 4 of Dowry Prohibition Act.

The prosecution case as lodged by the informant, who is wife of the petitioner is that the petitioner and his family members always used to beat her for non fulfillment of demand of dowry and has also turned her from house on several occasions. She does not feel safe in her matrimonial house.

It has been submitted by the learned counsel for the



petitioner that he is innocent and falsely been implicated and he is ready to keep his wife with full dignity and honour. It is submitted that no physical injuries alleged to have been caused neither there is any medical report to suggest the same. He submits that charge sheet has already been submitted hence, there is no chance of tampering with the prosecution evidence.

However, learned A.P.P. for the State submits that the petitioner is named in the F.I.R., hence, opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs Ten thousand only) with two sureties of the like amount each to the satisfaction of Smt. Sarika Vahelia, Judicial Magistrate, 1st class, Patna in connection with Mahila P.S.Case No. 71 of 2016, subject to the condition that if the petitioner is found to have indulged in an offence of similar nature in future, the learned Court below will be at liberty to cancel the bail bonds of the petitioner.

(Nilu Agrawal, J)

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