

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21371 of 2017

Arising Out of PS.Case No. -833 Year- 2016 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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Prabin Ghosh @ Prabir Ghosh Son of Bhim Chandra Ghosh resident of
Village - Khardo Bartaili, P.S. - Harirampur, Dist - Dakshin Dinajpur (WB).

.... Petitioner

Versus

1. The State of Bihar.
2. Amrita Devi W/o Prabir Ghosh, D/o Arun Yadav resident of village -
Simlapara, P.O. - Nima, P.S. - Manihari, Dist - Katihar.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Sharda Nand Mishra, Advocate

For the Opposite Parties : Mr. N.N. Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 833 of 2016 for the offences instituted
under Sections 498(A) of the IPC and 4 of the D.P. Act.

The prosecution story, in brief, is that the petitioner
subjected the complainant/wife namely, Amrita Devi, to cruelty
and torture both mentally and physically due to non-fulfilment of
dowry demand of Rs. 2,00,000/- and ultimately she was ousted
from her matrimonial home by the accused persons including the
petitioner.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation has been made against him. The petitioner is ready to keep the complainant as a wife with full dignity and respect. Learned counsel for the petitioner has relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the complaint case and he is the husband of the complainant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 833/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Katihar, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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