

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.15719 of 2017

Arising Out of PS.Case No. -176 Year- 2015 Thana -NOKHA District- SASARAM (ROHTAS)

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Narendra Kumar Singh @ Narendra Singh @ Nagendra Singh son of Sri
Bhagwan Singh, R/o village- Majhiaon, P.S.- Nokha, O.P. – Baghela,
District- Rohtas Petitioner

Versus

The State of Bihar & Ors Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Sri Kumar Virendra Narayan

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 21-04-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Nokha P.S. Case
No. 176 of 2015 registered for the offences punishable under Sections
323, 307, 498A/34 of the Indian Penal Code and Sections 3 and 4 of
Dowry Prohibition Act.

Sarita Devi, the daughter of the informant, was married to the
petitioner in the year 2008 and thereafter, the accused persons including
the petitioner started demanding Rs. 1-1.5 lakhs on the ground that the
petitioner is handicapped and for his business the money is required .
However, amount of Rs. 50,000/- was paid but the petitioner and others
remained adamant on their demand and due to non-fulfillment they
started torturing and assaulting Sarita Devi, the daughter of the
informant. Due to assault committed the brain of Sarita Devi was
disturbed and for that her treatment is going on and further her



condition is also serious.

Submission is of false implication and that the petitioner has never demanded anything, the victim herself out of her own sweet will left her matrimonial house, the petitioner is always ready to keep her with honour and dignity. It is not believable that the petitioner who is 50 % handicapped will make demand of dowry, without any fault he is in custody since 19.11.2016 and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner is the husband.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate V, Rohtas at Sasaram in connection with Nokha P.S. Case No. 176 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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