

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12281 of 2019

Arising Out of PS. Case No.-729 Year-2018 Thana- SONEPUR District- Saran

Mantosh Kumar Rai, Son of Sri Kishore Rai, Resident of Village- Pahleza
Shahpur Diara, P.S.- Sonpur, District- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. Putul Devi, Wife of Mantosh Kr. Rai, Resident of Village- Pahleza Shahpur
Diara, P.S.- Sonpur, District- Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-02-2019 Heard learned counsels for the petitioner and State.

The petitioner, being the husband of the informant is languishing in custody since 15.11.2018 in a case registered for the offences punishable under Sections 498A, 323, 341 and 307/34 of the IPC and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the written report of Putul Devi, dated 28.07.2018, submitted to the Station House Officer, Sonapur Police Station, is to the effect that the informant was



married with the petitioner, but subsequent to the marriage, further dowry demand of Rs. 3 lacs and a motorcycle was made and due to non-fulfillment of the same, the informant was tortured by the petitioner and other in-law family members. It is further alleged that on 28.07.2018, all the accused persons including the petitioner badly assaulted the informant, when the brother of the informant came to the informant's in-law house and took the informant to Referral Hospital, Sonapur from where, she was referred to PMCH.

It is submitted by learned counsel for the petitioner that the basic accusation against the petitioner is of torture and it is the informant who deserted the petitioner. It is further submitted that the petitioner is still ready to keep the informant as wife with full dignity and honour, though statement to that effect has not been made in the petition.

Learned APP submits that the thrust of accusation is against the petitioner.

Considering the nature of accusation, the investigation being already concluded and the period under custody, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM-I, Saran at



Chapra in connection with Sonpur P.S. Case No. 729 of 2018.

(Dinesh Kumar Singh, J)

Amrendra/-

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