

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78364 of 2018

Arising Out of PS. Case No.-190 Year-2018 Thana- UJIYARPUR District- Samastipur

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Saroj Kumar Rai @ Saroj Kumar S/o Late Ram Chandra Rai, resident of
Village- Paroria, P.S.- Ujiarpur, District- Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Kumari @ Rubi Devi, W/o Saroj Kumar Rai @ Saroj Kumar, presently
residing at D/o Shyam Rai of Village- Amdipur, Dhamoun, P.S.- Patori,
District- Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suneil Kumar Thakur
For the Opposite Party/s : Mr. Binod Kumar 2

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 24-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Ujiarpur P.S. Case No.
190/2018 registered for the offence punishable under Sections
323, 325, 341, 498(A), 504, 506/34 of the Indian Penal Code
and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner who is husband of
informant of torturing her along with other co-accused persons
for non-fulfillment of demand of dowry and and finally drove
her out from her matrimonial home.

It has been submitted on behalf of the petitioner that
he is innocent and has falsely been implicated in this case. It has



further been submitted that informant is not his wife as she has married with one Rajesh Rai, a certificate in this regard has been issued by the Sarpanch on 07.08.2018 which has been appended as Annexure 2. Petitioner has no criminal antecedent.

Learned counsel for the informant has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsingh Sarai, Samastipur in connection with Ujiarpur P.S. Case No. 190/2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of



bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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