

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18897 of 2020

Arising Out of PS. Case No.-2847 Year-2018 Thana- SARAN COMPLAINT CASE District-
Saran

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MUKESH PRASAD S/o Utim Prasad R/o village- Karahi, P.S.- Baniapur,
Distt.- Chhapra, Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi W/o Mukesh Prasad R/o village- Karahi, P.S.- Baniapur, Distt.-
Chhapra, Saran, present resident of village, D/o Parsuram Prasad, Bedauli,
P.S.- Baniapur, District- Chhapra Saran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Maheshwar Prasad
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 18-05-2020 Due to COVID-19 Pandemic, the matter is being taken
up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner seeks bail in a case registered under Sections
498A of the Indian Penal Code and 4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture upon
the victim due to non-fulfillment of demand of dowry.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of
tampering of witnesses alleged against the petitioner. The petitioner



is in custody since 29-02-2020. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner undertakes that he will cooperate during trial. The case is triable by the Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Chapra, Saran in connection with Complaint Case No. 2847 of 2018, Trial No. 2466 of 2020.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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