

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21626 of 2020**

Arising Out of PS. Case No.-552 Year-2018 Thana- MOTIHARI MUFASIL District- East
Champaran

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RAJAN THAKUR Son of Subodh Thakur Resident of Village - Basamanpur
Nainaha Tola, P.S.- Mufassil, Motihari, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sabita Devi Wife of Ranjan Thakur D/o Subodh Thakur, Resident of Village
- Hindu Chakia, P.S.- Chakia, District - East Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.A.G.

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 06-07-2020 The present petition has been taken up for consideration

through the mode of Video conferencing in view of the

prevailing situation on account of COVID-19 Pandemic,

requiring social distancing.

Heard the learned counsel for the petitioner and Shri Anil
Prasad Sinha, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Mufassil P.S. Case No. 552 of 2018 for the offence punishable
under Section 498A of the Indian Penal Code and Sections 3/4 of
the Dowry Prohibition Act.

The case of the prosecution in brief is that the informant
is stated to have solemnized marriage with the petitioner on



18.06.2017 according to Hindu rites and rituals and whereafter it is alleged that the accused persons had started demanding a sum of Rs. two lakhs by way of dowry and on account of non-fulfillment of the said demand for dowry, the petitioner was assaulted on several occasions and finally on 30.09.2017 at about 7:00 a.m., the informant was ousted from her matrimonial home.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case, he is having a clean antecedent and languishing in custody since 15.02.2020. It is further submitted that the petitioner has never demanded any dowry and nor ever tortured the informant. It is further submitted that the petitioner is always ready to keep her wife with due honour and dignity, however, the informant is hot tempered lady and always quarrels with her in-laws.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the period of incarceration of the petitioner herein, apart from the fact that a superficial



allegation has been levelled against the petitioner, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari in connection with Mufassil P.S. Case No. 552 of 2018.

(Mohit Kumar Shah, J)

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