

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51325 of 2019

Arising Out of PS. Case No.-568 Year-2015 Thana- COMPLAINT CASE District- Jamui

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PRAKASH RAJ @ PRAKASH DAS @ PRAKASH KUMAR DAS, aged about 29 years, Male, S/o Ghanshyam Das R/o village- Beechgarha, P.S.- Chakai, District- Jamui.

... .. Petitioner

Versus

1. The State Of Bihar.
2. Usha Devi, W/o Prakash Raj @ Prakash Das, D/o Bharosi Das R/o village- Naihar Bojhayat, P.S.- Sono (Charka Patthar), District- Jamui.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr.Akhauri Kamal Kishore Sahay, Advocate.
For the State	:	Mr.Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 12-06-2020 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 counsel for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 498(A) of the I.P.C. and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment of demand of dowry.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. The petitioner has falsely been implicated in the present case due to petty family dispute. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is the husband of the victim. The case is triable by the Magistrate. The petitioner has further 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) P.L.J.R. 182.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned S.D.J.M., Jamui, in connection with Complaint Case No. 568 (C) of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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 seven



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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