

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28746 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- CHAPRA TOWN District- Saran

PAWAN KUMAR Son of Ajit Kumar @ Ajit Ojha Resident of Mohalla -
Prabhunath Nagar, P.S.- Town, Police Station, District - Saran, Chhapra.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dinesh Kumar Tiwari Son of Late Jamadar Tiwari Resident of Village -
North Dahiyawan Tola, P.S.- Town, District - Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Pandey

For the Opposite Party/s : Mr.Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Chhapra Town P.S. Case
No. 66 of 2020, registered for the offence punishable under
Sections 341, 323, 498(A), 504/34 of the Indian Penal Code.

As per the prosecution case, daughter of the informant
was married with petitioner on 13.02.2019. After marriage, this
petitioner along with other co-accused used to torture the
daughter of informant for WagonR as dowry and due to non-
fulfillment of demand of dowry, the accused persons ousted the
daughter of informant from her matrimonial home.



It is submitted on behalf of the petitioner that petitioner happens to be the husband of the daughter of informant. Allegation of demand of dowry is false and fabricated. In fact, the victim girl is a short tempered lady and does not want to live with the petitioner (husband). After marriage, the victim girl was living with her parents at her Miake and there was strained relation between the petitioner and the girl for which a panchayati was also held and the petitioner being husband tried to pacify the matter, but the informant and family members abused and humiliated the family member of petitioner for which petitioner's side also lodged Bhagwan Bazar PS Case No. 33 of 2020 and in order to save their skin from the aforesaid case, this false case has been lodged. Petitioner is in custody since 02.02.2021 having no criminal antecedent. Chargesheet has already been submitted.

However, counsel for the informant vehemently opposed the bail application and submitted that petitioner brutally assaulted the victim girl for demand of WagonR and closed her in a room, her hand and legs were tied with a rope and a piece of blouse and her mouth was packed with clothes and all this happened within one year of marriage. During course of investigation, the police found the case true under



Section 307 IPC. Investigation is complete.

Considering the facts and circumstances of the case and the fact investigation is complete, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saran, Chapra in connection with Town P.S. Case No. 66 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

