

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30150 of 2021

Arising Out of PS. Case No.-199 Year-2020 Thana- PIPRAKOTHI District- East Champaran

Pawan Kumar @ Pawan Kumar Singh Son of Awadesh Singh Resident of
Village- Rulahi Majhar, P.S.- Muffasil Motihari, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Prateek Tandon
For the Opposite Party/s :	Mr.Uday Pratap Singh
	Mr.Madhurendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 12-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Piprakothi P.S. Case No. 199 of 2020, G.R. Case No. 4658 of 2020, registered for the offence under Sections 341, 323, 498A/34 of the Indian Penal Code and Sections 3 / 4 of the Dowry Prohibition Act.

As per the prosecution case, the informant was married with petitioner on 11.12.2019 and soon after the marriage, it is alleged that petitioner alongwith other FIR named persons, due to non-fulfillment of demand of Rs. Two lacs cash and one motorcycle as dowry, tortured her physically and mentally and finally, on 09.05.2020, all the accused persons ousted the informant from her matrimonial house.



It is submitted on behalf of petitioner that due to some petty family dispute, the informant left the matrimonial home out of her own will. Petitioner undertakes that he is ready to keep the informant, as his wife, with full honour and dignity. Neither petitioner has demanded any dowry nor tortured the informant for the same. Petitioner is in custody since 16.01.2021. Chargesheet has already been submitted.

Learned A.P.P. for the State and learned counsel for the informant have opposed the bail petition. It is submitted by the counsel for informant that petitioner is husband and there is specific and direct allegation against him regarding demand of dowry and torture.

However, considering the aforesaid facts and circumstances as well as undertaking of the petitioner that he will keep the informant, as his wife, with full honour and dignity, the bail petition of petitioner is allowed.

Let the above named petitioner 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 Chief Judicial Magistrate, East Champaran at Motihari in connection with Piprakothi P.S. Case No. 199 of 2020, G.R. Case No. 4658 of 2020, on the following conditions:



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

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

(Prabhat Kumar Singh, J.)

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