

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35312 of 2021

Arising Out of PS. Case No.-445 Year-2020 Thana- SHASTRINAGAR District- Patna

Amit Kumar @ Amit Kumar Pathak Son Of Late Mundarika Pathak Resident of Village and P.O.- Parsa, P.S.- Fatuha, District- Patna presently resides at Om Enclave, Flate no. 302, Shivpuri, P.S.- Shashtri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Gautam Kumar Yadav
For the Opposite Party/s :	Mr.Binod Kumar
	Mrs.Soni Srivastava

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

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

The petitioner seeks bail in Special Case No. 5698 of 2020, arising out of Shastri Nagar P.S. Case No. 445 of 2020, registered for the offence under Sections 341, 323, 504 of the Indian Penal Code and Section 37 (b)(c) of Bihar Prohibition and Excise Act.

As per the F.I.R., petitioner, who is husband of the informant, used to beat and assault her after consuming liquor.

Petitioner denies the prosecution case. In fact, petitioner solemnized marriage with the informant in 2008 out of love and without dowry. In fact, matrimonial dispute has been converted into the criminal dispute. Petitioner is in custody since 29.09.2020.



However, learned counsel for the informant has vehemently opposed the bail petition and submitted that petitioner, always in drunken condition, used to threaten and beat the informant.

In view of nature of allegation and period of custody, 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 Special Judge Excise, Patna. in connection with Special Case No. 5698 of 2020, arising out of Shastri Nagar P.S. Case No. 445 of 2020.

(Prabhat Kumar Singh, J.)

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