

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40407 of 2020

Arising Out of PS. Case No.-291 Year-2018 Thana- PUNPUN District- Patna

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SUMAN KUMAR BHASKAR SON OF SRI TAPESHWAR PRASAD @
TAPESHWAR RAM RESIDENT OF VILLAGE - MOHANPUR, P.S. -
PUNPUN, DISTRICT - PATNA

... .. Petitioner/s

Versus

1. The State of Bihar
2. NAMITA KUMARI W/O SUMAN KUMAR, D/O VINAY RAM
RESIDENT OF VILLAGE - CHANDUARA, P.O. - JATTDUMARI, P.S. -
PUNPUN, DISTRICT - PATNA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the Opposite Party/s : Mr. Amit Kumar Rakesh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 12-04-2021 Heard Mr. Abhay Kumar, learned counsel for the

petitioner and Mr. Amit Kumar Rakesh, learned Additional

Public Prosecutor appearing for the State through video

conferencing.

Petitioner seeks regular bail in connection with
Punpun P.S. Case No. 291 of 2018 registered for the offences
punishable under Sections 341, 323, 494, 498(A), 504 of the
Indian Penal Code 1860 and Sections 3/4 of Dowry Prohibition
Act.

The allegation against the petitioner as per the First
Information Report is that the marriage of the petitioner was
solemnized with the informant in the year 2014 and due to non-



fulfillment of demand of dowry by way of four wheeler, the petitioner along with other family members tortured the informant physically as well as mentally.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case with oblique motive. Learned counsel further submits that the petitioner had preferred anticipatory bail application before this Court in which mediation was held but the same had failed at the instance of the informant. Learned counsel also submits that the petitioner was granted anticipatory bail by a co-ordinate Bench of this Court subject to payment of Rs.7,500/- per month by way of maintenance amount. Learned counsel next submits that the undertaking on behalf of the petitioner was given to the Court by the earlier counsel without consent of the petitioner and petitioner is a poor person falling under the BPL category, was not in a position to pay a sum of Rs.7,500/- by way of maintenance to the informant. Accordingly, he has surrendered before the court below on 13.5.2020 and since then he is in custody.

Having regard to the submissions made by the parties and taking into consideration the materials on record, the fact



that the petitioner is in custody since 13.5.2020 and the case is triable by the Magistrate as well as charge sheet has already been submitted in the matter, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Shri Ranjay Kumar, learned Judicial Magistrate, 1st Class, Masaurhi, under Patna District, in connection with Punpun P.S. Case No. 291 of 2018.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding social distancing.

(Anil Kumar Sinha, J)

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