

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40893 of 2020**

Arising Out of PS. Case No.-685 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Nitesh Sah Son Of Bindeshwar Sah Resident Of Village - Mehsaul, P .S  
.-Runnisaidpur , District - Sitamarhi.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

|                      |   |                          |
|----------------------|---|--------------------------|
| For the Petitioner/s | : | Mr.Sanjeev Kumar, Adv.   |
| For the State        | : | Ms. Anita Kumari, A.P.P. |
| For the Informant    | : | Mr. Uday Kumar, Adv.     |

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

4      16-03-2021                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

The petitioner has filed the instant application for grant of regular bail in connection with Runnisaidpur P.S. Case no. 685 of 2018 registered under sections 307, 323, 324, 341 and 342 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per allegation in the F.I.R., the accused persons including the petitioner herein are stated to have tortured the informant for non fulfilment of demand of dowry to the tune of Rs. 1.5 lacs. It is further stated that her husband, the petitioner herein brutally assaulted her with a kata.

It is submitted by learned counsel for the petitioner



that the allegation as levelled in the FIR are false and incorrect. From perusal of the FIR itself it transpires that she dilutes the allegations and states that it is the maternal uncle of her husband who was the main culprit. There is no sharp cutting injury on her body and the injury report does not support the allegations levelled in the FIR. The alleged occurrence is stated to have taken place more than five years after the marriage. Both the petitioner and the informant have three children. The sister-in-law has been enlarged on bail. The petitioner is in custody since 10.07.2020 and has no criminal antecedent. The investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that he has brought on record the injury report of the informant in the counter affidavit from perusal of which it would transpire that the informant was admitted in the PMCH from 11.11.2018 to 19.11.2018 and as per the radiologist's report, she had fracture of frontal bone.

Having heard learned counsel for the parties and taking into consideration the submissions together with the contents of the counter affidavit filed on behalf of the informant



as also the injury report, this Court is not inclined to enlarge the  
petitioner on bail. The application is rejected.

**(Partha Sarthy, J)**

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