

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4975 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- JAKKANPUR District- Patna

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PRAKASH KUMAR SON OF SRI RAMESH PRASAD R/O VILLAGE-
PRABHA NIKETAN, BIHARI LANE, MITHAPUR, NAHARPAR,
GAURIYA MATH ROAD,P.S.-JAKKANPUR, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-03-2021 Heard both parties.

The petitioner seeks bail in Jakkanpur P.S. Case No. 368 of 2020, registered for the offence punishable under Sections 341, 342, 323, 354, 379, 498A and 34 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act.

As per the prosecution case, marriage of informant was solemnized with the petitioner on 17.06.2017. After marriage, this petitioner along with other co-accused started demanding dowry and due to non-fulfillment of demand of dowry, informant was subjected to mental and physical torture. The accused persons are alleged to have misbehaved with the parents of informant. It is further alleged that they also snatched her ornaments.



It is submitted on behalf of the petitioner that no such occurrence was taken place. The entire allegation is false concocted and petitioner has falsely been implicated in this case. Petitioner is husband of informant and he is employed in private company at New Delhi. Petitioner is in custody since 14.08.2020 having no criminal antecedent, as stated in para 3 of the petition.

Counsel for informant vehemently opposed the prayer for bail and submitted that there is specific allegation of demand of dowry and assault against this petitioner and maintenance is also not being paid to the informant.

Considering the period of custody, 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 Additional Chief Judicial Magistrate Ist, Patna in connection with Jakkanpur P.S. Case No. 368 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.

So far as maintenance is concerned, informant is free to move before the court below for the same.

(Prabhat Kumar Singh, J)

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