

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24564 of 2022

Arising Out of PS. Case No.-47 Year-2016 Thana- MAHILA P.S. District- Saran

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MUKESH KUMAR RAI @ MUKESH RAI @ KUMAR RAJA Son of
Yogendra Rai Resident of Village- Ismailpur, P.S.- Garkha, District- Saran at
Chapra (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi D/o Siyaram Yadav At present Residing at Village- Ganaura, P.S.-
Amnour, District- Saran at Chapra (Bihar)

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv.
For the Opposite Party/s : Mr.Yogendra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 19-12-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in a case registered for
offence punishable u/s 498A/34 of the IPC and Section 3/4 of the
Dowry Prohibition Act.

Allegedly, the accused persons named in F.I.R. including
the petitioner tortured upon the informant and demanded dowry.
They ousted her from her matrimonial house.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. Petitioner has no



criminal antecedent. There is no specific allegation against the petitioner. Petitioner has never demanded any dowry either from the informant or to her parents nor he has tortured the informant in any manner rather the informant left the house of the petitioner willfully. He further submits that notice was issued to Opposite Party No.2 and notice was received by Amit Kumar, brother of the Opposite Party No.2. Opposite Party No.2 and her brother Amit Kumar are living jointly and among them there is no partition has been taken place. It is further submitted that there is compromise between informant and the petitioner and his family members. Accordingly, the Compromise Petition has been filed before the learned Sub Divisional Judicial Magistrate, Saran at Chapra. The Opposite Party No.2 solemnized her second marriage with her choicest person mentioned in para 15 of the bail application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court



below where the case is pending/Successor Court in connection
with Saran Mahila P.S. Case No.47 of 2016, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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