

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48829 of 2021**

Arising Out of PS. Case No.-7 Year-2020 Thana- MAHILA PS District- East Champaran

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SUJIT SAH S/O Shyamchandra Sah R/o Village Languri Gali, Patna City
Mani Chawk, P.S. Patna, District - Patna.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Reena Devi W/o Sujit Sah D/O Shivpujan Sah R/o Bhopatpur Banjhiya
Khurd, P.S. Kotwa, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Giri, Advocate
For the Opposite Party/s : Mr. Ravindra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-01-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 07 of 2020 instituted for the offences
under Sections 341, 323, 406, 504, 498(A)/34 of the Indian
Penal Code read with Sections 3 and 4 of the Dowry Prohibition
Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 06.04.2021, is a person with clean
antecedent and charge-sheet has been submitted in this case.

The informant alleges that she was married with the



petitioner on 16.04.2019 and was tortured for non-fulfillment of the demand of Hero Honda Motorcycle and Rs.1,00,000/- by way of dowry, it is further alleged that the petitioner made her swallow phenyl but she managed to avert the occurrence but in the milieu swallowed a portion of phynyl which caused vomiting, further she was saved when people came hearing her scream. It is further alleged that on 25.05.2019 she was ousted from her matrimonial home.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in this case and he has never demanded dowry, rather the informant herself was not willing to live in a joint family. Learned counsel further submits that as far as allegation of swallowing a bit of phenyl is concerned i.e. completely false for the reason that had she swallowed phenyl then definitely she would have gone to the doctor for treatment. Learned counsel next submits that allegations are general and omnibus in nature and the date of occurrence is 25.10.2019 and the FIR has been instituted on 09.02.2020 and the petitioner has been in custody for more than nine months.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.



Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and the FIR has been instituted after an inordinate delay of more than three and half months without any plausible explanation, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar at Motihari, East Champaran in connection with Mahila P.S. Case No. 07 of 2020.

(Satyavrat Verma, J)

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