

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45569 of 2022

Arising Out of PS. Case No.-343 Year-2021 Thana- PUPRI District- Sitamarhi

Lalit Kumar Son Of Bindeshwar Yadav R/O Village- Sasaula, P.S.- Pupri,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mrs. Pronoti Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 30-11-2022 The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Pupri P.S. Case No. 343 of 2021 registered for the offences punishable under Sections 498A and 34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

As per the prosecution, the informant was married to this petitioner in the year 2018, thereafter this petitioner and his family members started torturing and assaulting the victim over a dowry demand of Rs 2 Lacs and ousted her out of her matrimonial house.



The main submissions advanced by the learned counsel Mr. Ashok Kumar Jha appearing for the petitioner are that the petitioner who is the husband of the informant, has been languishing in jail for the last five months and before the Court below conciliation efforts were made in which the informant herself denied to live in the company of the petitioner and the petitioner moved before the Sessions Judge for anticipatory bail and then his matter was referred to the Mediation Center where the informant appeared but she was adamant to send the petitioner to jail.

Learned APP Mrs. Pronoti Singh appearing for the state has opposed the bail prayer and submitted that the marriage of the informant with this petitioner took place in the year 2018 and at the time of the marriage ceremony Rs. 7 Lacs was spent by the father of the informant in giving gifts to the petitioner and after the marriage petitioner and his family members were not satisfied with the said gifts and they started demanding Rs. 2 Lacs from the informant and also started torturing her and finally they ousted her from the house on 05.01.2021.

Having regard to the facts and circumstances of this case as well as the nature of the allegation and also the facts that



the allegation of physical torture made in the FIR is general and omnibus and the petitioner's specific role in committing the alleged physical cruelty has not been revealed in the FIR and conciliation efforts were made by the Court below in between both the spouses which went in vain and also considering the petitioner's custody period, in the opinion of this Court, a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released 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 concerned Court in connection with Pupri P.S. Case No. 343 of 2021.

(Shailendra Singh, J.)

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