

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45591 of 2022

Arising Out of PS. Case No.-218 Year-2022 Thana- RAXAUL District- East Champaran

Nagarjun Das S/O Shiv Kumar Das Resident Of Village- Raxaul Ward No- 13, P.S.- Raxaul District- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Bihar
2. Guriya Devi W/O Nagarjun Das Resident Of Village- Raxaul Ward No- 13, P.S.- Raxaul District- East Champaran. At Present D/O Late Bansi Das, Resident Of Village- Areraj, Ward No- 10, P.S. And O.P. Areraj District- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manish Kumar Singh, Advocate
For the Opposite Party/s	:	Miss. Veena Kumari Jaiswal, APP
For the Informant/s	:	Mr. Rajesh Kumar, Advocate

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 Raxaul P.S. Case No. 218 of 2022 registered for the offences punishable under Sections 341, 323, 379, 498 (A), 494, 504, 506 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 2016, thereafter this petitioner and his family members assaulted the victim over a demand of dowry. Further it was alleged that this petitioner along with other co-accused persons on the alleged date and time assaulted the victim and this petitioner disclosed about his second marriage and one co-accused Abhimanyu Das tried to set the victim on fire by sprinkling kerosene on her.

The main submissions advanced by the learned counsel Mr. Manish Kumar Singh appearing for the petitioner are that the petitioner, who is husband of the informant, has been languishing in jail since 17.05.2022, in fact the informant deserted the petitioner and left her matrimonial house on 03.03.2022 on account of having love affair with someone and then the petitioner filed an informatory application on 10.03.2022 before S.D.M Raxaul and copy of the same has been filed as Annexure -2 and after filing that application the FIR of the instant case was lodged by the petitioner's wife with a malice intention.

Learned APP Miss. Veena Kumari Jaiswal appearing for the State as well as learned counsel Mr. Rajesh Kumar appearing for the informant has opposed the bail prayer.

Having considered the facts and circumstances of



this case and considering the above submissions and mainly taking into account the custody period of the petitioner and also the fact that admittedly a maintenance case has been filed by the informant which is running in the Family Court, District-Champaran, where a conciliation effort can be made by the Lower Court as the informant's counsel has shown informant's willingness to reside in the company of the petitioner, accordingly in the light of these facts, petitioner deserves to a lenient approach of this Court, 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 Raxaul P.S. Case No. 218 of 2022.

(Shailendra Singh, J.)

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