

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52864 of 2022

Arising Out of PS. Case No.-76 Year-2021 Thana- MAHILA P.S. District- Bhojpur

PRAKASH KUMAR SINGH Son of Saroj Singh Resident of Village -
Alawalpur, P.S.- Gaurichak, District - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Kumari W/o Prakash Kumar Singh , D/o Santosh Kumar Singh
Resident of Village - Alawalpur, P.S.- Gaurichak, District - Patna. At present
Resident of Village - Hemantpur, P.S.- Ara Mufassil, District - Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Arjun Prasad, Advocate
For the State	:	Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2022 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned Counsel for the petitioner is directed to
remove the defect(s), as pointed out by the office, within a
period of four weeks.

The petitioner seeks bail in a case registered under
Sections 323, 341, 313, 379, 498A/34 of the Indian Penal Code
and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of committing
torture and assault upon the victim due to non-fulfilment of
demand of dowry.

It has been submitted on behalf of the petitioner that



the petitioner is in custody since 01.07.2022 and has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioner, above named, is directed be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhojpur at Ara in connection with Ara Mahila P.S. case No.76 of 2021.

The petitioner is directed to co-operate during the trial. If the petitioner does not co-operate during the trial, the court below will be at liberty to cancel the bail bonds of the petitioner.

If so advised, either of the parties will be at liberty to make an application before the Court below for referring the matter to the District Mediation Centre for the purpose of



reconciliation or one time settlement. In case, any such application is made by either of the parties, the court below shall refer the matter to the District Mediation Centre.

(Sudhir Singh, J)

Narendra/-

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