

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66467 of 2021

Arising Out of PS. Case No.-95 Year-2020 Thana- MAHILA PS District- Buxar

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UMA SHANKER SAH @ UMA SAH @ UMA KUMAR SAH @ UMA SHANKAR SAH Son of Birendra Sah @ Virendra Kumar Resident of Village- Rauza, P.S.- Town (Ara), Distt.- Bhojpur (Ara).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 25-04-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 498A, 379, 341, 323, 504, 506 and 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

As per the prosecution case, the informant was married to the petitioner in April 2019. At the time of marriage ornaments etc. were given. It is stated that soon, thereafter, the accused persons started to torture her for non fulfillment of demand of dowry etc.. She was abused and assaulted. Her mother transferred Rs. 4,400/- in the account.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case only



for the reason that he happens to be the husband of the informant. No such occurrence as alleged in the FIR has taken place. Referring to the FIR, it is submitted that for an occurrence alleged to have taken place on 25.7.2020 information was given to the police and the FIR registered after an unexplained delay of more than two months. Further referring to the order of the learned trial court rejecting the application for bail of the petitioner, it is submitted that the learned trial court has referred to paragraph no. 35 of the case diary wherein the informant and another had informed the Investigating Officer that no injury report issued by the Medical Officer / doctor was available. The petitioner is in custody since 18.8.2021 and chargesheet has been submitted in the case.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegation, there being no injury report available on record, the delay in giving information to the police and investigation in the case having concluded, the petitioner is directed to be enlarged on bail in connection with Buxar (Mahila) P.S. Case no. 95 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



the learned Sub Divisional Judicial Magistrate, Buxar.

(Partha Sarthy, J)

Spd/-

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