

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3539 of 2023**

Arising Out of PS. Case No.-788 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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MUKUL KUMAR DAS SON OF HARENDRA NATH DAS R/O VILLAGE-
KAMALPOKHAR, P.S.- BALRAMPUR (TELTA O.P.), DISTRICT-
KATIHAR

... .. Petitioner/s

Versus

1. The State of Bihar
2. MAMTA DEVI WIFE OF MUKUL KUMAR DAS, D/O HARI PRASAD
DAS R/O VILLAGE- RAUTARA, P.S.- BALRAMPUR (TELTA O.P.),
DISTRICT- KATIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, Addl. Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-05-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498(A), of the Indian
Penal Code and section 4 of the Dowry Prohibition Act.

As per the prosecution case, petitioner along with
other family members committed torture on the informant's
daughter due to non-fulfillment of dowry demand.

Learned counsel appearing for the petitioner while
denying the allegations, submits that the petitioner has falsely
been implicated in this case because he is husband of the victim.



However, he is ready to keep the victim to her matrimonial house with honour and dignity. The case is triable by the Magistrate. The petitioner has further 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. Petitioner has got clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, be enlarged 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 Sub Divisional Judicial Magistrate, Katihar in connection with Complaint Case no 788 of 2021, subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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