

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9079 of 2023

Arising Out of PS. Case No.-306 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Kanhaiya Prasad @ Kanhaiya Kumar Son of Tarachand Prasad, R/v-
Dhabdhabwa, P.S.- Adapur, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandni Devi D/o Prahlad Sah, R/v- Srirampur, P.S.- Raxaul, District- East Champaran

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 03-05-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Trial No. 2802 of 2022 arising out of Complaint Case No. C-
306 of 2021 lodged under Sections 341, 323, 504 and 498A of
the I.P.C. read with Section 3/4 of Dowry Prohibition Act.

As per the prosecution, the allegation made in the
complaint petition is that the petitioner used to torture to his
wife demanding a laptop from his in-laws family.

Learned counsel for the petitioner submits that it is

the categorical stand of the petitioner that petitioner is ready to keep his wife with due respect and with undertaking that in future he shall not torture in any manner. It is also the consistent stand of the petitioner but even then the complainant herself leave the petitioner. Counsel further submits that petitioner is in custody since 07.11.2022 and he has clean antecedent.

Learned counsel for the State opposes the prayer for bail and submits that the bail may be granted with a condition that if complainant become ready to live with her husband then petitioner shall act according to his undertaking which he has made before the Sessions Judge, East Champaran at Motihari as well as before this Court.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, with condition that petitioner shall file an undertaking before the court that he shall stick on his undertaking made before the trial court as well as before this Court that he is ready to keep his wife always when her wife shall ready to live with him, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Raxaul, East Champaran at Motihari in

connection with Trial No. 2802 of 2022 arising out of
Complaint Case No. C-306 of 2021, subject to the conditions as
laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands
allowed.

(Dr. Anshuman, J.)

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