

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7167 of 2023**

Arising Out of PS. Case No.-12 Year-2022 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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RAJEEV KUMAR Son of Sant Lal Mandal R/o Habibpur Shivaji Nagar, P.S.-
Habibpur, District- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. ARCHANA KUMARI Wife of Rajeev Kumar, D/o Vijay Mandal R/o Habibpur Shivaji Nagar, P.S.- Habibpur, District- Bhagalpur, District- Bhagalpur, at present Village- Amdar, P.O.- Parghari, P.S.- Sabour, District- Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyam Kishor Das , Advocate
For the Opposite Party/s : Mr. Pradeep Narain Kumar , APP

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

- 3 17-07-2023 1. Despite valid service report, nobody appears on behalf of Opposite Party No. 2.
2. Heard learned counsel for the petitioner and the State.
3. Petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 324, 307, 498 (A), 494 Indian Penal Code.
4. As per the prosecution case, petitioner along with other family members committed torture on the informant's daughter due to non-fulfilment of dowry demand.
5. 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 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.

6. 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 learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Complainant case No 12 of 2022, subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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