

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6786 of 2023

Arising Out of PS. Case No.-35 Year-2020 Thana- MAHILA P.S. District- Nawada

PRAMOD KUMAR S/o Naresh Chaudhary R/o village- Koshla, P.S.-
Nardiganj, Distt- Nawada. Petitioner/s

Versus

1. The State of Bihar.
2. Rinku Devi W/o Pramod Kumar Chaudhary R/o village- Koshla, P.S.-
Nardiganj, Distt- Nawada. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Prasad
For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-08-2023 Heard learned counsel for the petitioner and learned A.P.P.

for the State.

2. By order dated 11.04.2023, notice was issued to opposite party no.2, which was received by the mother of opposite party no.2. Learned counsel for the petitioner has filed a jointness petition stating therein that opposite party no.2 is living with her mother in her parental.

3. Considering the submissions made above, the notice issued to opposite party no.2 is deemed to be valid service of notice.

4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498A and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

5. The petitioner in association of other co-accused is said to



have tortured and assaulted the informant by various means on non-fulfillment of demand of dowry and lastly ousted her from her matrimonial home.

6. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The entire story of the F.I.R. is concocted one and has been alleged on the pressure of the informant's family. It is further submitted that Section 498A IPC does not apply against the petitioner as no specific allegation of cruelty has been made against him. In para-8 of this application, it is specifically mentioned that the informant has married to another person so she does not want to live with this petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

7. Learned APP for the State opposed the prayer for bail.

8. Having regard to the facts and circumstances of the case as also the statement made in para-8 of this application, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court



below where the case is pending/successor Court in connection with Mahila P.S. Case No. 35 of 2020, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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