

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8167 of 2023

Arising Out of PS. Case No.-41 Year-2022 Thana- MAHILA P.S. District- Vaishali

SHIV DAYAL KUMAR S/O GAJENDRA RAY R/v- Gokhulpur, P.S.-
Bidupur, District- Vaishali at Hajipur Petitioner/s
Versus

1. The State of Bihar
2. PAPPI KUMARI, W/O SHIV DAYAL KUMAR R/v- Gokhulpur, P.S.-
Bidupur, District- Vaishali At present address- D/o Deokumar Ray, Village-
Shyampur Bairo, P.S.- Bhagwanpur, District- Vaishali at Hajipur
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Chandra
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 10-05-2023 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Mahila Police Station Case No. 41 of 2022, registered for the offences punishable under Sections 341/323/379/498-A/504/506/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The prosecution case, as per the First Information Report, is that the marriage of the petitioner was solemnized with the informant on 07.07.2016. After sometimes, the petitioner and the in-laws of the informant started demanding Rs. 2,00,000/- and one motorcycle as dowry and due to non-fulfillment of the said demand, the informant was tortured by the petitioner and her in-laws, both mentally as well as



physically and she was also ousted from her matrimonial home.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case inasmuch as the petitioner is ready to keep the informant as his wife with him, but the informant is not ready to live with the petitioner. He further submits that the petitioner is in custody since 21.11.2022 and the case is triable by the Court of Magistrate.

Regards being had to the submissions made on behalf of the parties and taking into consideration the materials on record and the fact that the case is triable by the Court of Magistrate and the petitioner is in custody since 21.11.2022, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali, at Hajipur, in connection with Mahila Police Station Case No. 41 of 2022.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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