

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9764 of 2023

Arising Out of PS. Case No.-74 Year-2020 Thana- MAHILA PS District- Buxar

Nikesh Singh @ Nikesh Kumar Son of Chitranjan Singh Resident of Village-
Chitav, P.S.- Dinara, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Murari Mishra
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-04-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Section 498(A) and other allied sections of the I.P.C. and 3/4 of the Dowry Prohibition Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfillment of demand of dowry and ousted her from matrimonial home.

It is submitted on behalf of petitioner that petitioner happens to be husband of the informant and present case has been lodged due to petty family dispute. There is general and omnibus allegation of demand of dowry and commission of assault against petitioner. It is next submitted that petitioner is ready to keep his wife (informant) with full honour and dignity.



It is further submitted that there is no allegation of tampering with the witnesses alleged against the petitioner. 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.

Counsel for State however vehemently opposed the prayer for bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above-named, in the event of his arrest/ surrender within a period of six weeks from today shall 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 Sub Divisional Judicial Magistrate, Buxar in connection with Buxar (Mahila) PS Case No. 74 of 2020, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

vinita/-

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