

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9245 of 2020

Arising Out of PS. Case No.-58 Year-2019 Thana- MAHILA P.S. District- Saharsa

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Rahul Kumar @ Rahul Kumar Das Son of Late Rajendra Das Resident of
Mohalla - Sarahi Ward No. 5, Saharsa, P.S. and Distt - Saharsa.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Laxmi Devi Wife of Rahul Kumar @ Rahul Kumar Das, D/o Vijay Das
Resident of Mohalla - Sarahi Ward No. 5, Saharsa, P.S. and Distt - Saharsa.
At present Gandhipath Das Tola, Ward No. 21, Saharsa, P.S.- and Distt -
Saharsa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 20-09-2023 Heard learned counsel for the petitioner. However,

today also no one appears on behalf of opposite party no. 2.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498(A),
323, 494, 379, 504, 506, 34 of the Indian Penal Code and
section 3/4 of the Dowry Prohibition Act.

3. Allegation is of commission of torture and
harassment to the informant for dowry.

4. It is submitted that petitioner denies the prosecution
case and submitted that he has falsely been implicated in the
present case due to petty family dispute. Petitioner is the
husband of the opposite party no. 2. and he is ready to keep his



wife (opposite party no. 2) with full honour and dignity. 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.

5. Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to 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 the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Mahila P.S. Case No. 58 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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