

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15164 of 2023

Arising Out of PS. Case No.-33 Year-2021 Thana- MALI District- Aurangabad

RAMNATH SHARMA S/o Rajeshwar Sharma R/o Village- Silad Kala, P.S.-
Dev, Distt- Aurangabad, Bihar, at present residing at village- Chhudhiya,
Jaipur, P.S.- Mali, Distt- Aurangabad (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Devi W/o Ramnath Sharma, D/o Jimedar Sharma R/o Village- Noniya
Bigha, Itwan, P.S.- Nabinagar, Distt- Aurangabad (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Leelawati Kumari, Advocate
For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-04-2023 Heard learned counsel for the petitioner and the

State.

Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A, 323, 504, 506, 34
of the Indian Penal Code, 1860 (hereinafter referred as “IPC”).

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the victim due to
nonfulfilment of demand of dowry.

It has been submitted by learned counsel for the
petitioner that the petitioner has has falsely been implicated in
the present case due to petty family dispute. There is no
allegation of tampering with the witnesses alleged against the



petitioner. The petitioner is the husband of the victim. 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.

On behalf of the learned counsels for the State and the opposite party no. 2, it has been submitted that the petitioner is named in the F.I.R.

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 the learned Chief Magistrate, Aurangabad (Bihar) in connection with Mali Police Station Case No. 33 of 2021, subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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