

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18400 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- DARAUNDA District- Siwan

OM NARAYAN PATHAK Son of Surya Nath Pathak R/V- Bagauna, P.S-
Daraunda, Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moni Devi Wife of Om Narayan Pathak , D/o kaushal Pathak R/V- Piyaaur,
P.S- M.H. Nagar, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shovendra Kumar, Advocate

For the Opposite Party/s : Mr. Anita Kumari, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioner and the State.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 498(A)/34 and other allied sections of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

As per the prosecution case, petitioner along with other family members committed torture on the informant due to non-fulfilment of dowry demand.

Learned counsel appearing for the petitioner while denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. However, he is ready to keep the victim with honour and



dignity. 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.

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 Judicial Magistrate-1st Class, Siwan in connection with Daraunda Police Station Case No. 135 of 2022 subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

Alok Verma/-

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