

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17252 of 2023

Arising Out of PS. Case No.-38 Year-2021 Thana- MAHILA P.S. District- Munger

BIKASH PRASAD SAH @ BIKAS KUMAR S/O BASUDEV PRASAD
SAH R/O VILLAGE- NIMTALLA BAZAAR, SHITLA ASTHAN, P.S-
KOTWALI, DISTT.- MUNGER.

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. NUTAN DEVI W/O BIKASH PRASAD SAH @ BIKAS KUMAR R/O
VILLAGE- PIRPAINTI BAZAR, P.S- PIRPAINTI BAZAR, DISTT.-
BHAGALPUR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash

For the Opposite Party/s : Mr.Arun Kumar Singh

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 379, 498A, 323/34 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 to her matrimonial house 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 Sub Divisional Judicial Magistrate Munger in Mahila Police Station Case No. 38 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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