

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30338 of 2022

Arising Out of Case No.-787 Year-2019 VAISALI COMPLAINT CASE District- Vaishali

AVINASH @ AVINASH THAKUR Son of Mahesh Thakur Resident of Village - Susta, P.S.- Sakra, District - Muzaffarpur at present House No.- 2246/12, LI, Sangam Vihar, P.S. - Napsarai, District - New Delhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Thakur Daughter of Arbind Singh Resident of Village - Chintamani Pur, P.O.- Madarna, P.S. and District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

8 11-04-2023 Heard learned counsels for the petitioner and learned A.P.P. for the State. Despite service of notice nobody appears on behalf of O.P. No.2.

The petitioner is apprehending his arrest in connection with Complaint Case No. C1- 787 of 2019 for the offence registered under Sections 498(A) of the I.P.C.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim due to non-fulfilment 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/ complaint case.

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, Patna City, Patna in connection with Complaint case No. C1-787/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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