

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31679 of 2023**

Arising Out of PS. Case No.-49 Year-2023 Thana- DHAKA District- East Champaran

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KANHAIYA KUMAR Son of Sunil Sah Resident of village - Chainpur
Dhaka, P.S. - Dhaka, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 08-09-2023 Heard the learned counsel for the petitioner as well as the learned APP for the State, assisted by the learned counsel for the informant.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498(A), 323, 324, 307 and 504/34 of the Indian Penal Code and Section 3/4 of the D.P. Act, registered in connection with Dhaka P.S.Case No. 49 of 2023.

3. The marriage of the informant was solemnized with co-accused Krishna Kumar on 02.02.2019. The accused persons, including the petitioner, inflicted cruelty on the victim for non-fulfilment of the demand of dowry and they also assaulted the brother and father of the informant.



4. The learned counsel for the petitioner has submitted that the petitioner is the brother-in-law (Devar) of the informant having no concern with the day-to-day affair of the couple. Further submission is that earlier also, the informant filed a complaint case against other accused persons, but in earlier complaint she did not made this petitioner as co-accused. Ultimately, he has submitted that the injuries are simple in nature, caused by hard and blunt substance.

5. On the other hand, the learned APP for the State as well as the learned counsel for the informant have opposed the prayer for bail and submitted that there is specific allegation against the petitioner that he assaulted at the wrist of the brother of the informant, who suffered injury in his hand.

6. Considering the above facts and circumstances, especially the clean antecedent of the petitioner and also considering that in earlier case lodged by the complainant, the petitioner was not made an accused, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Sikrahna at Dhaka in connection with Dhaka



P.S.Case No. 49 of 2023, subject to the conditions as laid down
under Section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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