

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32821 of 2022

Arising Out of PS. Case No.-162 Year-2019 Thana- GHANSHYAMPUR District- Darbhanga

BIJAY RAM S/o Shivji Ram R/o village and P.S.- Ghanshyampur, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Yadav

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-06-2023 It is submitted that notice issued to O.P. No.2 has been received by her mother and O. P. No.2 is residing with her mother in her Naihar.

In that view of the matter service of notice on O.P. No.2 is deemed to be validly served.

Heard learned counsels for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with a case registered for the offence punishable under Sections 324, 379, 498(A) and some other ancillary Sections of the IPC.

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 falsely been implicated in the



present case due to petty family dispute. The petitioner is the husband of the victim and he is ready to keep his wife with full honour and dignity. There is no allegation of tampering with the witnesses alleged against the petitioner. 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.

Learned counsel for the State opposes the prayer for anticipatory bail.

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, Biraul, Darbhanga in connection with Ghanshyampur PS case No. 162/ 2019, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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