

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.36860 of 2023**

Arising Out of PS. Case No.-444 Year-2020 Thana- PATNA COMPLAINT CASE District-  
Patna

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AVINASH KUMAR @ NITIN Son of Sunil Ray Resident of village - Kurji  
More Gate No. 64, P.S. - Digha, Distt. - Patna

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Saina Kumari Wife of Avinash Kumar @ Nitin, D/o Jitendra Ray Residing at  
Sultanpur, Koiri Tola, P.S. - Danapur, distt. - Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Binay Kumar

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      28-06-2023                      Learned counsel for the petitioner is permitted to  
  
remove defect (s), as pointed out by the office, if any, within a  
  
period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant  
  
of regular bail in connection with Complaint Case No.  
  
444(C)/2020 dated 10.6.2020 registered for the offence  
  
punishable u/s 498A of the Indian Penal Code.

As per the prosecution case, the petitioner and the  
  
other co-accused persons are alleged to have tortured the  
  
complainant due to non-fulfilment of demand of dowry. Further,



they ousted her from the matrimonial home.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The petitioner neither demanded dowry nor tortured the complainant. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 19.3.2023 who is the husband of the complainant. .

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Complaint Case No. 444(C)/2020.

The application stands allowed.

**(Chandra Prakash Singh, J)**

Ajay Singh/-

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