

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36898 of 2022

Arising Out of PS. Case No.-26 Year-2020 Thana- MAHILA THANA District- Begusarai

DEEPAK KUMAR SON OF NIPENDRA SINGH RESIDENT OF
VILLAGE- VISHNUPUR CHAND, P.S.- BARAUNI (CHAKIA O.P.),
DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. SARITA KUMARI DAUGHTER OF MAKSHUDAN SINGH @
MADHUSUDANSINGH RESIDENT OF VILLAGE- BIHAT, WARD NO.
02, P.S.- BARAUNI, DISTRICT- BEGUSARAI

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Shubhesh Pandey
For the Opposite Party/s :	Mr.APP
	Mr. Suresh Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 24-04-2023 Heard learned counsels for the petitioner, opposite
party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection
with Mahila PS Case No. 26 of 2020 for the offence registered
under Sections 498(A), 323, 325/34 and some other ancillary
Sections 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. It is further submitted that in Maintenance Case No. 53/ 2021 and order for payment of ad interim maintenance of Rs. 5500/- had been passed and the petitioner has started payment of Rs. 5500/- and first payment is received by O.P. No.2 on 06.01.2023. 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, Begusarai in connection with Mahila PS case No.



26/ 2020, subject to conditions laid down u/s 438(2) of the
Cr.P.C.

(Prabhat Kumar Singh, J)

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