

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41333 of 2023

Arising Out of PS. Case No.-42 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Abhay Patel @ Bhola Patel @ Bhola Son Of Prahalad Singh @ Bala Singh
Resident Of Village - Mahesua, P.S. - Bhabua, Distt. - Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Anjan Devi Wife Of Abhay Patel @ Bhola Patel @ Bhola, D/O Vibhuti Singh At Present Resident Of Mohalla - Ward No. 21, Bhabua Nagar Parishad, P.S. - Bhabua, Distt. - Kaimur (Bhabua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Sunil
For the Opposite Party/s : Mr.Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 498A, 323, 34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

As per FIR, the allegation against the petitioner and his family members is that they used to torture and ousted the informant from her house due to non-fulfillment for dowry demand.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The



petitioner is husband of the informant due to which he has falsely been implicated in this case. The marriage between the petitioner and the informant was solemnized in the year 2015 and out of wedlock two sons born out and now the petitioner is ready to keep his wife with proper honour and dignity. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 24.02.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bhabhua (Mahila) P.S. Case No. 42 of 2019 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kaimur, Bhabhua.

(Sunil Kumar Panwar, J)

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