

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41894 of 2022

Arising Out of . Case No.-2261 Year-2019 GOPALGANJ COMPLAINT CASE District-
Gopalganj

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SHRI MOHAN SINGH S/o Ram Sharan Singh R/o village- Narkatiya, P.S.-
Uchakagaon, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Devi W/o Shri Mohan Singh, D/o Shri Shankar Singh R/o village-
Panch Fedwa, P.S.- Mirganj, Distt.- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 27-04-2023 Jointness petition has been filed on behalf of the

petitioner stating that O.P. No.2 is residing with her father, who

has received notice of O.P. No.2.

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

Heard learned counsels for the petitioner and learned
A.P.P. for the State. Nobody appears on behalf of O.P. No.2

The petitioner is apprehending his arrest in connection
with a case registered for the offence punishable under Sections
323, 504, 498(A)/ 34 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. 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, 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 Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Complaint case No. 2261/ 2019, subject to conditions laid down



u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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