

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48408 of 2023

Arising Out of PS. Case No.-41 Year-2018 Thana- MAHILA PS District- Buxar

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DHANJEET UPADHYAY @ SONU UPADHYAY SON OF BAIKUNTH
UPADHYAY RESIDENT OF VILLAGE- KHAKHARHI, P.S. CHUNDI,
DISTRICT BUXAR, BIHAR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sharad Shekhar

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 08-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 341, 323, 406, 504/34,
498A of the Indian Penal Code and Sections 3/4 of the Dowry
Prohibition Act.

3. As per prosecution case, the informant solemnized
marriage with this petitioner in the year 2015 and a child has
born and after the marriage accused persons demanded dowry
and land from the informant's father and due to non-fulfillment
of the dowry demand the accused persons have thrown petrol on
her body any how, she managed to save her life and they



snatched her ornaments and other materials.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. He has committed no offence. Petitioner is the husband of the informant. He submitted that earlier, the petitioner was granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 02.12.2019 passed in Cr. Misc. No. 78357 of 2019, subject to a conditions as laid down under Section 438(2) of the Cr.P.C., and the petitioner is ready for the compliance of the conditions as laid down by this Hon'ble Court, however, the informant refused to appear before Ld. Court of S.D.J.M., Buxar even after giving a consent for living with the petitioner but the informant denied living together with the petitioner. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 07.06.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand



only) with two sureties of the like amount each to the satisfaction of the learned Court below in connection with Mahila P.S. Case No. 41 of 2018.

(Sunil Kumar Panwar, J)

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