

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47211 of 2023

Arising Out of PS. Case No.-61 Year-2021 Thana- MAHILA P.S. District- Bhojpur

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AJAY SINGH Son of Late Phojdar Singh Resident of village - Akorhi, P.S. - Chauri, Distt. - Bhojpur (Ara).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Kumari D/o Ram Tapeswar Singh Resident of village - Durgpur, P.S. - Tarari, Distt. - Bhojpur (Ara).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 11-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahila P.S. Case no.61 of 2021 registered under sections 498A, 379, 323, 341, 504 and 34 of the Indian Penal Code and sections 3 and 4 of Dowry Prohibition Act.

3. As per the prosecution case, the informant states that soon after her marriage in the year 2017, the accused persons including the petitioner herein who happens to be her husband started to torture her for non-fulfillment of demand of dowry to the tune of Rs.5 lacs and a bullet motorcycle. The petitioner had an extramarital relation with a widow. Further,



petitioner had taken her to Maharashtra where demand of Rs.6 lacs continued. She was also assaulted by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The allegations are false and concocted and for reasons other than what has been narrated in the F.I.R. The petitioner has no criminal antecedent. The petitioner is in custody since 25.3.2023 and was granted provisional bail in this case vide order dated 1.8.2023.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the petitioner happens to be the husband of the informant against whom there is direct allegation of assault, torture and demand of dowry. The petitioner was also having an extramarital relation with a widow.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R., the petitioner having remained in custody since 25.3.2023 till grant of provisional bail, his not having any criminal antecedent and chargesheet having been submitted in the case, the Court is inclined to enlarge the petitioner on bail. As such the provisional



bail granted to the petitioner in connection with Mahila P.S.
Case no.61 of 2021 on furnishing bail bond of Rs.10,000/
(Rupees Ten Thousand) with two sureties of the like amount
each to the satisfaction of the learned S.D.J.M., Bhojpur at Ara,
is hereby confirmed.

(Partha Sarthy, J)

Saurabh/-

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