

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47010 of 2022

Arising Out of PS. Case No.-5 Year-2022 Thana- MAHILA P.S. District- Bhagalpur

SHASHI KUMAR S/o Vyasdeo Thakur Resident of Village- Ratanpura, P.S.-
Kharik, District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Juli Kumari D/o Nand Kishore Thakur Resident of Village- Raghobpur, P.S.-
Parbatta, District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Sharda Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-03-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 341, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act, 1961.

Petitioner, who is husband of informant, is said to have tortured upon her physically and mentally in association of his family members over the dowry demand. They also ousted her from her matrimonial home.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No



such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. He is still ready to keep her with full honour and dignity. Learned counsel for the petitioner has filed a supplementary affidavit in which, in para no.2, it is stated that Opposite Party No.2 is not willing to live with the petitioner and she approached the village Panch for full and final one time settlement and accordingly, Panchayatnama was prepared. By way of final settlement all the gifts which were given to the informant in marriage from her parents were returned and Rs. 1,50,000/- was also paid. The father and brother of the informant put their signatures on the Panchayatnama before the Panches by way of receipt of the same. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, as petitioner returned all the gifts and cash of Rs. 1,50,000/-, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a



period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Naugachia Mahila P.S. Case No. 5 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

divyanshi/-

U		T	
---	--	---	--

