

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52509 of 2022

Arising Out of PS. Case No.-210 Year-2021 Thana- MAHNAR District- Vaishali

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BAIDHNATH SAH @ BAIJNATH SAH SON OF ASHARFI SAH R/O
VILLAGE- KARNAUTI, P.S.- MAHANAR, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Sinha

For the Opposite Party/s : Mr.Md. Matloob Rab

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 13-04-2023 Heard learned counsel for the petitioner as well as

learned APP for the State.

In this case, the petitioner is seeking regular bail in
connection with Mahanar P.S. Case No. 210 of 2021, registered
for the offences punishable under Sections 341, 342, 323, 325,
354, 504, 498 (a) of I.P.C. 3/4 D.P. Act.

As per allegation, the petitioner is husband of the
victim. The marriage between the couple was solemnized five
years prior to lodging of the FIR. The informant went to her
matrimonial house but the accused persons committed physical
and mental atrocities for non-fulfillment of the demand of
dowry. There is also allegation against the petitioner that he
inflicted *garansa* (sharp edged weapon) blow on her head and



made her badly injured.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. As a matter of fact, the informant was not willing to reside in her matrimonial house. She has solemnized her second marriage and the petitioner is under custody since 14.03.2022.

The learned APP, though opposed the prayer for bail but has submitted that in the impugned order it has come that the victim was not ready to live with her husband. Learned counsel has also submitted that there is allegation against the petitioner that he assaulted the victim with *garansa* on her head and injuries are found on her person.

For exploring amicable solution between the parties, notice was sent through both process to the informant. The service report of the notice sent through speed-post shows that she is not residing on her address.

Petitioner is under custody for more than a year and the victim herself refused to reside with the petitioner.

Considering these facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate Vaishali,



Hajipur in connection with Mahanar P.S. Case No. 210 of 2021,
subject to the following condition:-

The petitioner shall cooperate in the disposal of
trial and make himself available as and when required by the
court.

(Nawneet Kumar Pandey, J)

SONALI/Sudha

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