

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55978 of 2022

Arising Out of PS. Case No.-148 Year-2022 Thana- DURAULI District- Siwan

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AJIT PRASAD Son of Birendra Prasad R/O Village - Garwar, P.S.- Darauli,
District - Siwan.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Kumari Daughter of Late Upendra Prasad R/O Village - Kanhpakar,
P.S.- Asaon, District - Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Pandey
For the Opposite Party/s : Mr.Umeshanand Pandit

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 17-04-2023 Heard learned counsels for the petitioner and learned

A.P.P. for the State. Despite service of notice, nobody appears

on behalf of O.P. No.2

The petitioner is apprehending his arrest in connection
with Darauli PS Case No. 148 of 2022 for the offence registered
under Sections 498(A) and some other ancillary Sections of the
I.P.C. and 3/4 of the D.P. Act.

The prosecution story, in brief, is that the accused
persons including the petitioner tortured the informant 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 and, 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 Sub divisional Judicial Magistrate, Siwan in connection with Darauli PS case No. 148/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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