

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78573 of 2023

Arising Out of PS. Case No.-58 Year-2022 Thana- DIGHWARA District- Saran

Aswani Kumar @ Raja Kumar Son of Shiv Mangal Sah R/O Village - Mina
Bazar, P.S.- Sonpur, Dist.- Saran At Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar, Adv.

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dighwara P.S. Case No. 58 of 2022 instituted for the offences
under Sections 341, 323, 379, 498(A), 504 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. The allegation against the accused persons including
the present petitioner is of assaulting and torturing the
Complainant/Priyanka Kumari for non-fulfillment of demand of
dowry.

4. The petitioner is the husband.

5. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the



present case. The petitioner has earlier filed a case against the Complainant for restitution of conjugal right before the Family Court, Saran at Chapra vide R.C.R. No. 29 of 2020. The Complainant was also issued notice by the Family Court but, she denied to go with her husband. The learned court below has also tried to settle the matter by mediation but, the Complainant always refused in the Mediation Center, Saran at Chapra. The petitioner has one criminal antecedent in which he is on bail. The petitioner is in custody since 24.05.2023. Charge-sheet has been submitted in this case by the police.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the entire facts and circumstances of the case, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dighwara P.S. Case No. 58 of 2022.

(Rudra Prakash Mishra, J)

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