

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69404 of 2022

Arising Out of PS. Case No.-6 Year-2018 Thana- MAHILA THANA District- Begusarai

RAKESH KUMAR SON OF LATE RAM BADAN YADAV R/O VILLAGE-
CHOUKAM, P.O.- DADPUR, P.S.- BHAGWANPUR, DISTRICT-
BEGUSARAI

... .. Petitioner/s

Versus

1. The State of Bihar

2. Sheela Devi D/O Viro Mahto resident of Dumra,
P . S.- Falka, District- Kathihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar , Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

- 4 19-08-2023 1. Despite valid service of report nobody appears on behalf of O. P No. 2.
2. Heard learned counsel for the petitioner and the State.
3. Petitioner apprehends arrest in a case registered for the offence punishable under sections 498A, 494, 323 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.
4. As per the prosecution case, petitioner along with other family members committed torture on the informant's daughter due to non-fulfilment of dowry demand.
5. Learned counsel appearing for the petitioner while



denying the allegations, submits that the petitioner has falsely been implicated in this case because he is husband of the victim. However, he is ready to keep the victim to her matrimonial house with honour and dignity. 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.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let this petitioner, as named above, 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 the Learned Sub Divisional Judicial Magistrate, Begusarai in connection with Mahila Police Station Case No. 06 of 2018 , subject to the conditions laid down under section 438 of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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