

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70542 of 2022

Arising Out of PS. Case No.-168 Year-2021 Thana- FULKAHA District- Araria

Arjun Kumar @ Arjun Kumar Das S/O Shri Jai Prakash Das R/V- Ram
Bishanpur, Ward No. 4, P.S.- Raghapur, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rachna Kumari D/O Shri Shyam Sundar Das R/V- Fulkaha, Ward No. 5,
P.S.- Fulkaha, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-02-2023 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 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner as per informant is that the informant's in-law and the petitioner started demanding Rs. 4 lakhs and cow. When the informant expressed her inability to fulfill their demand for dowry, all the accused persons started torturing her, both physically and mentally.

Learned counsel for the petitioner that 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.



He submits that the petitioner has filed a divorce case and the opposite party no. 2 sought adjournment for filing W.S. but failed to file W.S. and was debarred from filing W.S., thereafter the decree of divorce dissolving the marriage of the petitioner with opposite party no. 2 was passed in favour of the petitioner by the family court. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Having regard to the facts and circumstances of the case, 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 Fulkaha P.S. Case No. 168 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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