

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75451 of 2023

Arising Out of PS. Case No.-359 Year-2023 Thana- DUMRA District- Sitamarhi

Rahul Kumar, Son Of Arun Sah, R/O Village- Rampur Bakhari, P.S.- Dumra,
District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Devendra Kumar, Advocate
For the Informant	:	Mr. Anil Kumar, Advocate.
For the Opposite Party	:	Mr. Akshay Lal Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-12-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner, learned counsel for the informant and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Dumra P.S. Case No. 359 of 2023 dated 23.07.2023 registered for the offences punishable under Sections 341, 323, 504, 506, 307, 354B, 379/34 of the I.P.C. and Section 3/4 of the Dowry Act.

4. As per the prosecution case, the petitioner wanted to establish physical relationship with the informant. On being



protested, the petitioner and the co-accused persons demanded dowry from her, pressed her neck, tore her clothes and assaulted her. Thereafter, she was treated at Sadar Hospital, Sitamarhi, where she gained her sense. They also took her jewelery and mobile. Her husband lives outside for his livelihood.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. The petitioner is the brother-in-law (Dewar) of the informant and he has no concern with the alleged offence. The petitioner neither demanded any dowry nor tortured the informant. It is further submitted that the informant wants to live separate and her husband is not capable to keep her with him outside, so, she always quarrels with her in-laws for that reason sole altercation took place with them. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State and learned counsel for the informant have opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be



enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Sitamarhi, in connection with Dumra P.S. Case No. 359 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

