

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87094 of 2019

Arising Out of Case No.-1229 Year-2018 - PATNA COMPLAINT CASE District- Patna

ASUTOSH KUMAR @ BHOLU Son of Late Ambika Prasad Resident of Mohalla - Karwan Ki Sarai, Mansoorganj, Patna City, P.S.- Malsalami, Distt - Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari @ Bulbul Wife of Asutosh Kumar Resident of Mohalla - Karwan Ki Sarai, Mansoorganj, Patna City, P.S.- Malsalami, Distt - Patna. At present Priyanka Kumari, D/o Krishna Prasad, R/O Mohalla - Simli Nababganj, Patna City, P.O. - Madho Mills, Distt - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Dular Sah

For the Opposite Party/s : Mrs.Anita Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 07-04-2023 Heard learned counsels for the petitioner, opposite party no. 2 and learned A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Complaint Case No. 1229 of 2018 for the offence registered under Sections 498(A) of the I.P.C. and 4 of the D.P. Act.

The prosecution story, in brief, is that the accused persons including the petitioner tortured the victim 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 the opposite party no. 2, 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, Patna City, Patna in connection with Complaint case No. 1229/ 2018, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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