

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11445 of 2023

Arising Out of PS. Case No.-471 Year-2019 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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VIKASH PRASAD S/o Madan Prasad R/o Village- Kori, P.S.- Dinara
(Bhanas O.P.), Distt- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandrawati Devi D/o Late Kashi Chandrawanshi , W/o Vikash Prasad R/o-
Kori, P.S.- Dinara (Bhanas O.P.), Distt- Rohtas. At present R/o village- Arila
Raghunathpur, P.S.- Natwar, Distt- Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Pratap, Advocate

For the Opposite Party/s : Mr.Akshay Lal Pandit, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-07-2024 Heard learned counsel for the petitioner and the
State. Despite service of notice no one appears for opposite
party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 148, 149, 324, 323,
and 498A/34 of the Indian Penal Code .

3. As per the prosecution case, petitioner along with
other family members committed torture on opposite party no.2
due to non-fulfilment of dowry demand. It is further alleged
that the petitioner ousted the opposite party no.2 from her
matrimonial house.

4. 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. It is the opposite party no.2 who does not want to reside
with the petitioner at her matrimonial house. Petitioner is a
daily labourer having no fixed income. However, he is ready to



keep the victim in 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**.

5. 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 Additional Chief Judicial Magistrate 1st class, Bikramgangj Rohtas at Sasaram in Complaint Case No. 471/2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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