

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27491 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- MOTIPUR District- Muzaffarpur

Pranav Jaiswal @ Suniti Jaiswal Son of Parmanand Prasad Resident of Village- Purnahiya, Kothi Jharokha Road, P.S.-Ghorasahan, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar, Adv.
For the Opposite Party/s:	Mr.Dilip Kumar No.1, APP.
	Mr. Vishwajeet Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-05-2024 Heard Mr. Dhannjay Kumar, learned counsel for the petitioner, Mr. Dilip Kumar No.1, learned A.P.P. for the State and Mr. Vishwajeet Singh, learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 498(A), 504, 34 of the Indian Penal Code and Section 3/4 of D.P. Act.

3. All the F.I.R. named accused persons including this petitioner, on non-fulfillment of demand of dowry, in furtherance of the common intention are said to have tortured upon the informant physically and mentally and ousted her from her matrimonial home. They also tried to commit murder of the informant by administering her poison.

4. It is submitted by learned counsel for the petitioner that



petitioner is quite innocent and he has committed no offence. No such occurrence as alleged has ever taken place. Petitioner is brother-in-law of the informant. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner is living separately from the family of his brother after partition is mess and business. It is further submitted that the informant went to her *Naihar* with her own sweet will and after sometime, when her husband had gone for *bidai* of the informant, she refused to come and once again humiliated him due to which he filed divorce suit against the informant on 09.06.2023. Thereafter, when the informant came to know about the divorce suit filed by her husband, in retaliation of the same, she filed this false case on 20.07.2023 for her defence. It is further submitted that the husband of the informant is already in judicial custody. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposes the prayer for bail.

6. Having regard to the facts and circumstances of the case, as there is no specific overt act against the petitioner, 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 lower Court where
the case is pending/successor Court in connection with Motipur
P.S. Case No. 232 of 2023, subject to the condition as laid down
under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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