

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28175 of 2024

Arising Out of PS. Case No.-93 Year-2022 Thana- HASPURA District- Aurangabad

Puspa Raj Mishra son of Awadhesh Mishra R/o- Sihadi, P.S. Haspura Dist-
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Haspura PS Case No.93 of 2022 dated 01-04-2022, instituted under Sections 341, 323, 427, 504, 498A and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, 1961.

3. The prosecution case, in short, is that the marriage of the daughter of the informant was performed with petitioner. After marriage, she started residing in her matrimonial home. It is alleged that in-laws members, including the petitioner have been harassing and torturing the daughter of informant for demand of dowry.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that petitioner is the husband of the daughter of the informant. Several times compromise have been taken place between the informant and petitioner & his family members regarding keeping informant's daughter, but the daughter of the informant refused to live with the petitioner. The



said fact has also been mentioned by the learned Additional District and Sessions Judge-II, while rejecting the anticipatory bail petition of the petitioner *vide* order dated 11-03-2024 passed in ABP No. 07 of 2024. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned JM 1st Class, Daudnagar, Aurangabad (Bihar) in Haspura PS Case No.93 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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