

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31827 of 2024

Arising Out of PS. Case No.-100 Year-2023 Thana- MAHILA P.S. District- Lakhisarai

Amit Raj @ Amit Kumar Son of Jagannath Rajak Resident of Village-
Islamnagar, P.S.- Chandradeep, Dist.- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Neetu Kumari Daughter of Dilip Rajak Resident of Infront of Lal Pahari Chowk, Gujee Pokhar, Ward No. 30, P.S.- Kawaiya, Dist.- Lakhisarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam

For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Lakhisarai Mahila P.S. Case No. 100 of 2023 dated 14.10.2023 registered for the offences punishable u/ss 341, 323, 498A, 307, 379, 504 and 506 read with 34 of the Indian Penal Code and Section 3 / 4 of the D.P. Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have tortured the informant mentally and physically due to non-fulfillment of demand of Rs. 5 lacs as dowry.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner who is husband of the informant. The petitioner neither demanded any dowry nor tortured the informant. The petitioner has 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."** Learned counsel has further submitted that Section 498A of the IPC is triable by the Magistrate. Learned counsel has further relied on the judgments in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and Another (2022) 10 SCR 351** and **Md. Asfak Alam Vs. The State of Jharkhand & Anr passed in Criminal Appeal No(s). 2207 of 2023 arising out of Special Leave Petition (CRL.) No. 3433 of 2023.** The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.11.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond



of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with Lakhisarai Mahila P.S. Case No. 100 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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