

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46251 of 2024

Arising Out of PS. Case No.-253 Year-2023 Thana- LALGANJ District- Vaishali

Niraj Kumar Son of Shri Shambhu Kumar Singh Resident of House No.- 735,
Banta Nagar, Adityapur, P.S.- R.I.T., District - Saraykela, Kharsawan
(Jharkhand), Permanent resident of village - Warispur, P.S.- Bhagwanpur,
District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Ms. Vaishnavi Singh, Adv.
For the Opposite Party/s :	Mr. Anuj Kumar Shrivastava, APP.
	Mr. Anuj Kumar, Adv.
	Mr. Aditya Pandey, Adv.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 25-10-2024 Heard learned counsel for the petitioner, learned A.P.P. for
the State and learned counsel for the informant.

2. The petitioner seeks bail in Lalganj P.S. Case No. 253
of 2023 registered for the offences punishable under Sections
341, 323, 307, 313, 379, 354(B), 498(A)/34 of the Indian Penal
Code and Section 3/4 of the Dowry Prohibition Act.

3. Petitioner, who is husband of informant, is said to have
tortured upon her physically and mentally and ousted her from
the matrimonial home in association of his family members over
the dowry demand.

4. It is submitted by learned counsel for the petitioner
that the petitioner is quite innocent and he has committed no



offence. No such occurrence as alleged has ever taken place. He has been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioner is totally false and based on concocted facts. He has neither made any dowry demand nor drove her out of her matrimonial home nor tormented her over the demand of dowry. The real fact is that the informant did not want to live in her matrimonial house with her in-laws. She used to pressurize the petitioner to live in a separate house, but since the petitioner is the only son of his parents, it was not possible for him to leave his parents. It is further submitted that after investigation, the police has submitted charge sheet against the petitioner under Sections 498 (A) and 307/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act. Petitioner has no criminal antecedent and he has been languishing in custody since 14.04.2024.

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

6. Considering the submissions made as well as the period of judicial custody, the above named petitioner is directed to be enlarged on bail 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 Court below where the



case is pending/successor Court in connection with Lalganj P.S.
Case No. 253 of 2023.

7. Petitioner is directed to cooperate in the trial. If the
petitioner fails to appear before the learned Court below on two
consecutive dates fixed in the case, the prosecution will be at
liberty to file an application for cancellation of bail bond of the
petitioner before the learned Court below.

(Anjani Kumar Sharan, J)

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