

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55511 of 2022

Arising Out of PS. Case No.-229 Year-2022 Thana- MANER District- Patna

SURAJ KUMAR @ ADARSH KUMAR Son of Sri Champu Ram Resident
of Village - Sarai Pokharpar, P.S.- Maner, District - Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Nisha Kumari Wife of Suraj Kumar @ Adarsh Kumar Daughter of Santosh Chaudhary, Resident of Village - Sarai Pokharpar, P.S.- Maner, District - Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 22-08-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite
party no.2.

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

3. As per the prosecution case, on 21.3.2022 petitioner
along with other family members committed torture on
opposite party no.2 due to non-fulfilment of dowry demand
and ousted her from the 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. As a matter of fact, opposite party no.2 does not want to
live the petitioner. 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. Learned counsel for the State opposes the prayer for bail.

6. 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 Judicial Magistrate 1st class, Danapur, Patna in Maner Police Station Case No. 229 of 2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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