

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66024 of 2024

Arising Out of PS. Case No.-3 Year-2024 Thana- NAVINAGAR District- Aurangabad

Arvind Singh Son of Late Mohan @ Mohan Singh Resident of Village-
Khanidaur, Ps- Durgawati, Dist- Kaimur at Bhabua, A/P- H.No-25/1,
Maujuvir Saksauli Varanasi Dawav Family Restaurant PS- kaint Dist-
Varanasi U.P

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vipin Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Kamendra Prasad Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 19-11-2024 Heard Mr. Vipin Kumar Singh, learned counsel for
the petitioner, Mr. Choubey Jawahar, learned APP for the State,
Mr. Kamendra Prasad Singh, learned counsel for the informant
and perused the case diary.

2. The petitioner seeks bail in connection with
Nabinagar (Badem O.P.) P.S. Case No. 03 of 2024, instituted for
the offences punishable under Sections 498(A), 377, 376, 323,
379, 341 of the Indian Penal Code, Sections 3 and 4 of the
Dowry Prohibition Act.

3. The prosecution case, in short, is that, son of the
petitioner was married to the informant and sexually abused her



in an unnatural manner from the next day of their marriage, she was also sexually abused by her in-laws and friends of her husband after making her unconscious by providing intoxication in the milk. On protest, her husband along with the petitioner and other family members demanded a car as dowry and then only they will allow her to go with her mother and father. It is further alleged that son of the petitioner has threatened to kill her family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that there is no specific allegation levelled against the petitioner. The petitioner is father-in-law of the informant. The informant has also alleged that she was being thrown from the roof but the informant was subjected to medical examination and no apparent injury was found on her body. The medical report does not corroborate with the allegation levelled in the FIR. It is further submitted that there is inordinate delay in lodging the complaint/FIR. The petitioner is separate in mess and business from the informant and her husband. The petitioner is in custody since 09.06.2024 and has got one criminal antecedent in which he is on bail.



5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Nabinagar (Badem O.P.) P.S. Case No. 03 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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