

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78649 of 2023

Arising Out of PS. Case No.-2501 Year-2022 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Rajkumar Gond @ Rajesh Kumar Gond S/O Lalan Gond Village- Sasai
(BAIKUNTHPUR), Ps. Bhorey, Dist. Gopalganj.

... .. Petitioner

Versus

1. The State Of Bihar
2. Daisy Devi W/O Rajkumar Gond, D/O Tufani Sah R/O Village- Sasai
(BAIKUNTHPUR), PS. Bhorey, Dist. Gopalganj Presently Residing At R/O
Village- Swareji, Ps. Nirganj, Dist. Gopalganj.

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Vishwajeet Kumar Mishra, Advocate
For the Opposite Party : Mr. Lakshmi Kant Sharma, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-03-2024 Heard learned counsel for the petitioner and the State.

Nobody appears for opposite party no.2 inspite of valid service
of notice.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 323, 498A, 406, 497/34
of the Indian Penal Code and sections 3 & 4 of the Dowry
Prohibition Act.

3. As per the prosecution case, petitioner along with
other family members committed torture on opposite party no.2
due to non-fulfilment of dowry demand.

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. However, he is ready to keep the victim to her 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. 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 Sub Divisional Judicial Magistrate, Gopalganj in Complaint Case No. 2501/2022, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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