

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80961 of 2023

Arising Out of PS. Case No.-19 Year-2019 Thana- PIRI BAZAR District- Lakhisarai

RAKESH KUMAR @ RAKESH KUMAR MAHTO son of Late Prakash Mahto @ Late Jai Prakash Singh Village- Mahsauni Ps- Piribazar Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2024

Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 323, 498(A), 506/34 of the Indian Penal Code.

3. The prosecution case, in brief, is that on 10.02.2019 at 2:30 P.M. when the informant was at her matrimonial house, her mother-in-law and Nanand assaulted her. It is further alleged that her Nanad Poonam Devi and Ruby Devi caught the informant's hands and her mother-in-law started assaulting the informant by means of hot knife. When the informant was weeping, she was locked in a room by them but she somehow fled from her matrimonial house and reached Sadar Hospital, Lakhisarai where she was treated.



4. On perusal of F.I.R., it is apparent that petitioner is not named in in accused column of F.I.R. There is no allegation of torture and assault against this petitioner. Merely because he is husband of the informant, he has been made accused in this case.

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

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of his arrest or surrender within a period of six weeks from today, 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 learned A.C.J.M.-II, Lakhisarai, in connection with Piribazar P.S. Case No. 19 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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