

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83416 of 2023

Arising Out of PS. Case No.-598 Year-2022 Thana- PATNA COMPLAINT CASE District-
Patna

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Amit Kumar Son Of Sri Rajeshwar Prasad Singh R/O Village- 206, Shivajee
Path, Gola Road, P.S.- Rupaspur, Bailey Road, Danapur, Dist.- Patna
... .. Petitioner

Versus

1. The State Of Bihar
2. Puja Sinha Wife Of Sri Amit Kumar, D/O Sri Raja Singh R/O Abhimanyu
Nagar (NAHAR Par) South From Bailey Road, Hariom Building Gola Road,
P.S.- Rupaspur, Dist.- Patna, Pin-801503
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate
For the Opposite Party/s : Mr.Arvind Kumar Pandey(APP84)
Mr. PK Verma, Advocate

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 09-05-2024 Heard learned counsel for the petitioner, the State and
opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 498A, 313, 315/34 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 the informant's
daughter 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. Opposite party
no.2 is school teacher. However, in view of order dated
9.5.2023, passed in DV Case No. 579/2021 by Judicial



Magistrate 1st class, Danapur, petitioner is paying Rs.10,000/- to opposite party no.2 as interim maintenance. Learned counsel submits that 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 Additional Chief Judicial Magistrate, Danapur in Complaint Case No. 598 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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