

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82307 of 2023

Arising Out of PS. Case No.-2577 Year-2022 Thana- COMPLAINT CASE District- Araria

Pankaj Kumar Jha S/O Rupendra Narayan Jha R/O Village- Puraini, P.S- Tarabari, Distt.- Araria, At Present Resident At Quarter No. Hec E/75 Sector- 2, Dhurba, P.S- Jagarnathpur, Distt.- Ranchi (JHARKHAND).

... .. Petitioner

Versus

1. The State Of Bihar Bihar
2. Khushboo Bharti D/O Gangakant Jha, W/O Pankaj Kumar Jha R/O Village- Madanpur, P.S- Araria, Distt.- Araria.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr.Tapeshwar Sharma, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 16-04-2024 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 323/498A 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 complainant 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 Judicial Magistrate 1st class, Araria in Complaint Case No. 2577C/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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