

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80281 of 2023

Arising Out of PS. Case No.-76 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

Nunu Lal Verma S/O Chandrachur Verma @ Chandrachur Mahto Village-
Pusaho, Ward No. 3, Ps. Vidhan, Dist. Samastipur

... .. Petitioner

Versus

1. The State Of Bihar
2. Amrita Devi D/O Lagarnath Mahto At Present R/O Hansa, Ward No. 15, Ps. Varitnagar, Dist.Samastipur.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Binod Murari Mishra, Advocate
For the Opposite Parties : Mr.Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-07-2024 Heard learned counsel for the petitioner and the State.
Despite valid service of notice, nobody appears for opposite party no.2.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 323, 498A, 341, 406/34 of the Indian Penal Code and sections 3 & 4 of the Dowry Prohibition Act.

3. As per the prosecution case, opposite party no.2 was married to the petitioner in 2010. After sometime, petitioner along with other family members started committing torture on opposite party no.2 due to non-fulfilment of dowry demand and later on ousted her from the matrimonial house.

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. As a matter of fact, opposite party no.2 is a lady of short temperament and she always used to leave the house



without information and on protest she used to quarrel with the petitioner and his family members. Petitioner is poor person. He is ready to keep the victim in 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 Chief Judicial Magistrate, Samastipur in Complaint Case No. 76 of 2016/TR No.1296 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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