

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85243 of 2023

Arising Out of PS. Case No.-1022 Year-2022 Thana- TURKAULIYA District- East
Champaran

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Dhiraj Kumar Son Of Kanhaiya Sah R/O Village- Jolgawan, P.S.- Turkauliya,
Dist.- East Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar Patna
2. Rina Kumari D/O Surendra Prasad @ Sukan Sah R/O Village- Maruabad,
P.S.- Mehsi, Dist.- Est Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-01-2024 Heard learned counsel for the petitioner, learned counsel
for the opposite party no. 2 and learned APP for the State.

2. The petitioner apprehend his arrest in a case registered
for the offence punishable under Sections 341, 323, 498(A), 34
of the Indian Penal Code.

3. Allegation against the petitioners is that they along with
others have assaulted the complainant with an intention to kill
her.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No such occurrence as alleged ever took place. Petitioner has
been falsely implicated in this case. The allegation levelled



against the petitioner is not specific rather general and omnibus in nature. There is no injury report on the record. It is further submitted that petitioner has been made accused in one more case lodged by the father of the informant viz, Turkauliya P.S. Case No. 934 of 2021 for the offence u/s 323, 498(A), 313, 34 of the I.P.C. and $\frac{3}{4}$ of the Dowry Prohibition Act in which the petitioner has enlarged on anticipatory bail vide order dated 17.11.2022 in Cr. Misc. No. 22029 of 2022 by a learned court below and petitioner has already paying Rs. 4,000/- per month to the petitioner. Later on, again the present case of similar nature of offence u/s 498(A) of the I.P.C. has lodged by the O.P. No. 2. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State and learned counsel for the opposite party no. 2 opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the argument of the parties and on perusal of record there is no injury report on record, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the



like amount each to the satisfaction of the learned lower Court
where the case is pending/successor Court in connection with
Turkauliya P.S. Case No.1022 of 2022, subject to the condition
as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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