

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20124 of 2024

Arising Out of PS. Case No.-2111 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Umesh Giri Son Of Shankar Giri R/O Vill-Mahe Singhiya, Ps-Singhiya, Dist-Samastipur

... .. Petitioner

Versus

1. The State Of Bihar
2. Kajal Kumari Wife Of Umesh Giri R/O Vill-Mahe Singhiya, Ps-Singhiya, Dist-Samastipur P/A- D/O- Prem Nath Giri R/O- Village- Harsinghpur Kothi, Ps- Sarairanjan, Distt- Samastipur

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Dilip Kumar Roy, Advocate
For the Opposite Party : Mr.Sanjay Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

9 24-03-2025 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, 341, 494, 498A of the Indian Penal Code and Sections 3 & 4 of the Dowry Prohibition Act.

3. As per the prosecution case, petitioner was married to opposite party no.2 on 12.3.2018. Later on, petitioner along with other family members demanded Rs. 5 lacs as dowry and committed torture on opposite party no.2 due to non-fulfilment of dowry demand. Accused persons also ousted opposite party no.2 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. Parties have a male child out of the wedlock and



petitioner 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. Learned counsel for the State opposes the prayer for bail.

6. 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 Sub Divisional Judicial Magistrate, Samastipur in CR No. 2111 of 2019/ TR No. 2699 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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