

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7594 of 2015

Arising Out of PS.Case No. -489 Year- 2014 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Nikhil Kumar son of Upendra Prasad Gupta resident of Mohalla- Bagaha,
P.S.- Bagaha, District- Bagaha(West Champaran)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pooja Kumari wife of Nikhil Kumar , daughter of Pramod Kumar
permanent resident of Mohalla- Bagaha , P.S.- Bagaha, District-
Bagaha(West Champaran), at present resident of New Gopalpur (near Clinic
of Dr. VinitaVerma, Ward No. 34, P.s. - Motihari Nagar, District- East
Champaran., Motihari.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Dr.Rabindra Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

7 04-09-2015 The petitioner is apprehending his arrest in Motihari
Town P.S.Case No.489/14 for the offences under Sections 323,
406, 498(A), 504 of the I.P.C. and Section 3/4 of the Dowry
Prohibition Act.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The prosecution case, in brief, is that after marriage
of the informant, Pooja Kumari with the petitioner on 15.2.2013
her in-laws used to demand dowry and on non-fulfillment of the
same the informant was subjected to cruelty and harassment and
they also attempted to kill her but she could be saved by nearby

people. Ultimately, in-laws people ousted the informant from her matrimonial house though she has been blessed with a son at her parents' house.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. He has been falsely implicated in the present case at the instance of the informant. A divorce case has also been filed in the court below prior to the institution of the present case by the petitioner. It has further been submitted that the petitioner is ready to deposit an amount of Rs.2000/- per month in the court below which shall be released in favour of the informant.

On behalf of the State and the informant it has been submitted that the petitioner is named in the F.I.R who happens to be the husband of the informant.

Considering the aforementioned facts and circumstances of the case, the petitioner, above named, is directed to deposit an amount of Rs.2000/- per month in the court below which shall be released in favour of the informant/complainant and on his doing so, let the petitioner in the event of his arrest or surrender before the court below within four weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the C.J.M.,

East Champaran at Motihari, in Motihari Town P.S. Case
No.489/14 subject to the conditions as laid down under Section
438(2) of Cr.P.C.

(Sudhir Singh, J)

AnilKrSinha/-

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