

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.18220 of 2015**

Arising Out of PS.Case No. -72 Year- 2014 Thana -AMNAUR District- SARAN

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Rohit Kumar @ Rohit Kr. Singh, son of Hari Shankar Singh, resident of  
Village - Nand Lal Chapra, Police Station Chapra Muffasil, District - Saran.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Mukesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar-II, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH**  
**ORAL ORDER**

2      10-06-2015                      Petitioner is the husband, who apprehends his arrest in  
  
relation to Amnour P.S. Case No. 72 of 2014 registered under  
  
Sections 323, 341, 316, 379 and 498(A)/34 of the Indian Penal  
  
Code and Section 3/4 of Dowry Prohibition Act instituted by his  
  
wife.

The parties were married on 25.11.2013 and this First  
Information Report was lodged on 02.07.2014 with regard to an  
assault that was made upon the wife on 15.01.2014.

Learned counsel for the petitioner submits that on the  
day of the said assault i.e. on 15.01.2014 petitioner was in Army  
service and posted at 310 Petroleum Platoon under 99 APO and  
this fact is certified by the Commandant, which falsifies the entire  
case. He further points out that the wife, in fact, was not ready to

live behind and serve her in-laws while her husband was posted out. In fact, the wife having abandoned the family, the husband filed a suit for restitution of conjugal rights on 23.06.2014 and, coming to know of the same on 02.07.2014, the present case was filed. It is further pointed out that in the First Information Report, it is stated that the informant was beaten up while she was pregnant and she was attended by Dr. Neela Singh with reference to assault. It is stated that Dr. Neela Singh was of the opinion that informant had aborted not because of beating but because of pills that she had taken.

Having considered the aforesaid, in the event of his arrest/surrender before the court below within four weeks from today, let the petitioner, namely, Rohit Kumar alias Rohit Kr. Singh be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Saran, Chapra in connection with Amnour P.S. Case No. 72 of 2014, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Navaniti Prasad Singh, J.)**

Vats/-

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