

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20814 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -MOKAMAH District- PATNA

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Namo Narayan Kumar, son of Bidya Shankar Ray, resident of Railway Colony, Quarter No.99, C.D. Mokama, P.S. Mokama, District Patna.

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma, Advocate

For the Opposite Party/s : Mr. S.Dayal (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-07-2015 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case instituted under Sections 498 (A), 341, 323, 376, 511, 379 and 504/34 of the Indian Penal Code.

It is alleged by the informant that she was married with the petitioner on 7.12.08 according to Hindu Rites and rituals and at the time of marriage her relatives gifted her. After ten days from the marriage her husband went on his duty at Jammu. When the petitioner came on Holi Festival in 2009 then her father gave cash Rs. 40,000/- to her to give this amount to her father in law. According to complainant on any occasion she has given cash Rs. 5000/- to 25000/- to her father-in-law. Father of the informant also



deposited Rs. 31000/- in account of her husband when she was residing at Jamu in the house of her husband. She blessed with a child and after that accused persons started causing cruelty with her. In October 2013 her father came then her father-in-law demanded Rs. 2 lakh for purchase land in Allahabad but he refused to pay. Accordingly to informant in the night of 6.6.14 her Nandosi attempted to commit rape with her. So she raised alarm then her father in law and other family member came there and they started beating her. Her Nandosi tried to dirobe to her. When her husband came on 23.7.14 he directed to remove her ornaments and optical and forcibly got of written some statement and on 24.7.14 leaved her Patna. Petitioner has filed a matrimonial case for divorce on 14.10.14. before filing of this criminal case.

It has further been submitted on behalf of the petitioner that the petitioner is not ready to keep the informant. It has further submitted that divorce case has also been filed by the petitioner. It has further submitted that the petitioner is ready to deposit an amount of Rs. 3000/- each month in the Court below, which shall be released in favour of the complainant.

On behalf of the State and the informant, it has been submitted that the petitioner is the husband of the informant.

Considering the facts aforesaid, the petitioner is directed to deposit an amount of Rs. 3000/- each month in the Court below, which shall be released in favour of the complainant and on doing so, the above named petitioner, in the event of arrest or surrender in the Court below within a period of four weeks is to be released on bail on furnishing bail bonds of Rs. 10,000/ (Rs. Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Patna in connection with Mokama P.S. Case No. 238/14, subject to the conditions as laid down u/s 438 (2) Cr.P.C.

(Sudhir Singh, J.)

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