

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8101 of 2015

Arising Out of PS.Case No. -238 Year- 2014 Thana -RAXAUL District- EAST CHAMPARAN
(MOTIHARI)

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Akash Kumar @ Vikash Kumar Sharaff son of Ram Babu Sharaff, resident
of Mohalla- Asharam Road Raxaul, P.S.- Raxaul, District- East Champaran
..... Petitioner/s

Versus

1. The State of Bihar
2. Rupa Devi wife of Akash Sharaff, Resident of Mohalla- Asharam Road,
Raxaul, P.S.- Raxaul, District- East Champaran. At present- Rupa Devi
daughter of Haradhan Ray, Resident of Mohalla- Koiriya Tola, Ward No.
25 (Behind Sona Talkies), At & P.O. & P.S. Raxaul, District- East
Champaran

..... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Ram Kishun Prasad
For the Opposite Party/s : Dr. M.K.Gautam (APP)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 20-05-2015 Heard learned counsel for the petitioner, learned
A.P.P. as well as learned counsel for the informant.

The petitioner apprehends his arrest in a case under
Section 498(A) and other sections of the Indian Penal Code and
Sections 3/4 of the Dowry Prohibition Act.

The informant alleged that the petitioner solemnized
marriage with her in a temple and thereafter subjected her to
torture on account of non-fulfillment of demand of dowry. It is
submitted that the informant was earlier married to Mahanand
Mandal. She filed Divorce Case No. 220/12 which is still pending.
The petitioner never solemnized marriage with the informant.

On the other hand, learned counsel for the informant

submitted that the petitioner solemnized marriage with the informant in a temple and, at the same time, filed the divorce case for dissolution of her marriage with Manahand Mandal which is still pending.

Considering the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to 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 learned Chief Judicial Magistrate, East Champaran, Motihari in Raxaul P.S. Case No. 238/2014, corresponding to G.R. Case No. 898 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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