

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43493 of 2014

Arising Out of PS.Case No. -19 Year- 2014 Thana -MAHILA P.S. District- BHABHUA (KAIMUR)
=====

Chandan Kumar Gond @ Chandan Kumar Gorh, son of
Mahendra Gond, Resident of Village-Parasiya, P.S.-Bhabua,
District-Kaimur at Bhabua.

.... Petitioner/s

Versus

1. State of Bihar
2. Sunita Kumari, wife of Chandan Kumar Gond,
Resident of Village-Parasia, P.S. Bhabua,
District-Kaimur at Bhabua, at present address
D/O Ganga Prasad Gond, R/O Village-Siyapokhar,
P.S-Mohania, District-Kaimur at Bhabha.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. M.K. Khare, APP
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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-03-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in
connection with Mahila (Bhabua) P.S. Case No.19 of 2014
arising out of Complaint Case No.311 of 2014 for allegedly
having committed the offence under Section 498A of the
Indian Penal Code.

It is submitted on behalf of the petitioner that the
petitioner is the husband of the complainant Sunita Kumari,
who married to the petitioner in the year 2008 itself. However,
the complainant refused to live with him all through and had



not been residing in her matrimonial home. Subsequently, she has eloped with another character, namely, Ajay Gond, and with regard to the same an informatory petition was filed before the Officer-in-Charge of Mohania Police Station by the father of the complainant. After having knowledge of such elopement, the petitioner filed Matrimonial Case No.44 of 2014 for dissolution of marriage under Section 13(1)(b) of the Hindu Marriage Act, in which notices have been served on the complainant. Learned counsel for the petitioner further submits that soon thereafter, the complainant has filed the present case on 24.3.2014 making false and frivolous allegations against this petitioner.

Considering the aforementioned submissions and also the fact that the complainant is not willing and has kept away from her matrimonial home for over five years, let the above named petitioner, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released 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, Kaimur at Bhabua, in

connection with Mahila (Bhabua) P.S. Case No.19 of 2014,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Anjana Mishra, J)

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