

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51999 of 2014

Arising out of PS.Case No. -927 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EAST CHAMPARAN(MOTIHARI)

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Amit Kumar Jaiswal @ Amit Kumar, S/o Om Prakash Jaiswal, resident of
Mohalla - Baba Garib Nath Dham, Ganpat Lane Street, P.S. - Town,
District - Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Ashish Kumar S/o Arun Kumar Jaiswal.
3. Archana Kumari, D/o Arun Kumar Jaiswal. Both residents of Village -
Bhawanipur, P.S. Sangrampur, District - East Champaran.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Yogesh Chandra Verma, Sr. Advocate.
For the State : Mr. Khurshid Anwar(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 14-05-2015 The petitioner is apprehending his arrest in connection
with Complaint Case No. C-927 of 2014, Trial No. 7458 of 2014
for the offences instituted under Sections 498(A) and 323 of the
Indian Penal Code.

Heard learned counsel for the petitioner and the State.

The prosecution story, in brief, is that the complainant's
sister, namely, Archana Kumari, got married with this petitioner-
accused on 17.04.2014 according to Hindu rites and customs at
Maharaja City Palace, Motijhil, Muzaffarpur. At that time, the
complainant and his family members had given gifts worth Rs.
15,00,000/- to the accused persons. After marriage, the



complainant's sister visited at her in-laws home and started living there. On 20.04.2014, the complainant's mother wanted to talk with her daughter on phone, but she started weeping. Thereafter, on 21.04.2014, the complainant and others visited in-laws home of his sister, where he came to know that his sister is ill. When the complainant met with his sister, he came to know that accused persons are demanding one Scorpio vehicle. When the complainant intervened in the matter, accused persons caused cruelty and harassment to the complainant's sister followed with assault. On 08.05.2014, this petitioner- accused brought his wife, Archana Kumari to his in-laws home by Alto Car and after taking tea, he go-away on the said Car, leaving his wife for treatment. The further case is that in the night on 07.05.2014 at about 8.00 P.M. co-accused Om Prakash Jaiswal and Priyanka alias Reena assaulted her with Belna, as a result of the complainant's sister became senseless. The accused persons kept ornaments and clothes worth Rs. 5,00,000/- of the complainant's sister and lastly refused to keep her at in-laws home.

It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedents. Further it has been submitted that the complainant was being treated at Ranchi Mental Hospital and in respect of the said, the prescriptions have been

annexed as part of Annexure-2. Further it has been submitted that a Matrimonial Case No. 149 of 2014 under Section 11 of the Hindu Marriage Act has also been filed.

On behalf of the State, it has been submitted that the petitioner is the husband of the complainant and there is specific allegation has been made against him. Further it has been submitted that the petitioner is ready to deposit amount of Rs. 3,000/- per month in the court below which shall be released in favour of the complainant.

Considering the fact that the petitioner is ready to deposit amount of Rs. 3,000/- in the court below which shall be released in favour of the complainant, let the petitioner, above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of four weeks from today in connection with Complaint Case No. 927 of 2014, Trial No. 7458 of 2014 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

(Sudhir Singh, J)

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