

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1112 of 2015

Arising Out of PS.Case No. -355 Year- 2014 Thana -LAKHISARAI District- LAKHISARAI

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Dharmendra Kumar, Son of Late Heera Lal @ Heera Lal, Resident of
Mohalla – Naya Bazar, Pachna Road, P.S. – Lakhisarai, District –
Lakhisarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ambika Bhagat, Advocate.

For the Opposite Party/s : Mr. B.N. Pandey, (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR

JHA

ORAL ORDER

2 12-01-2015

Heard both sides.

The petitioner Dharmendra Kumar apprehends his arrest in Lakhisarai P.S. Case No. 355 of 2014, registered for the offences punishable under Section 498A and other Sections of the Indian Penal Code.

The wife alleged that she was married with the petitioner in the year 2009. The informant is second wife of the petitioner. She made allegation that her husband use to assault her and demanded Rs. 2 Lakhs and on account of non-fulfillment of demand of dowry she was driven out from the house.

Learned counsel for the petitioner submits that the petitioner married with the informant, after death of his first wife. The petitioner got children from his first wife. The petitioner made

every effort for reconciliation, but could not succeed and thereafter filed Matrimonial Suit No. 09 of 2013, for dissolution of the marriage. After about one year, the informant filed this case making false allegation against the petitioner.

Considering the facts aforesaid and the fact that much prior to the present case, the husband has filed Matrimonial Suit No. 09 of 2013 and thereafter, after one year the informant filed this case, the petitioner, in the event of his arrest or surrender before the 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, Lakhisarai in connection with Lakhisarai P.S. Case No. 355 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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