

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14880 of 2015

Arising out of PS.Case No. -6 Year- 2015 Thana –ARWAL MAHILA PS District- JEHANABAD

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Rahul Dwivedi, Son of Kesh Nath Dwivedi, resident of Mohalla - Mahatma Gandhi Nagar, Bazar, Samittee Road, Police Station - Town Thana, District - Buxar.

.... Petitioner

Versus

1. The State of Bihar.

2. Priyanka Gautam, Wife of Rahul Dwivedi, Daughter of Bimal Kishore Mishra, presently residing at Sarswati Niwas, 1st Floor, Road No. 6/C, Rajendra Nagar, Police Station - Kadam Kuan, District - Patna.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Pritish Kumar Lal, Advocate.

For the State : Mr. Ajay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-06-2015 The petitioner is languishing in custody since 05.03.2015 in connection with Arwal Mahila P.S. Case No. 06 of 2015 for the offences instituted under Sections 341, 323, 379, 498(A) and 504 of the I.P.C.

Heard learned counsel for the petitioner, informant and learned counsel for the State.

The prosecution story, in brief, is that the marriage of the informant was solemnized with this petitioner Rahul Dwivedi in the year 2013 and since after second day of the marriage, the informant was continuously tortured by the petitioner being husband alongwith co-accused persons being in-laws who have



started cruelty with assault to the informant for which a case bearing Budha Colony P.S. Case No. 151 of 2014 under Section 498(A) I.P.C. was filed in which the petitioner has made prayer for anticipatory bail before the Hon'ble High Court, Patna, who has been pleased to grant the petitioner on anticipatory bail vide Cr. Misc. No. 32376 of 2014 subject to condition that the petitioner has to keep the informant with him. It is further stated in the FIR that on the order of the Hon'ble High Court, Patna, she was brought at her marital place Arwal from the court of S.D.J.M., Patna, and allegedly, on her arrival at marital place, she was abused, assaulted and tortured by them and they have also snatched away her mobile phone. It is further alleged that on 05.03.2015 at about 8.00 A.M. when she has made protest for abusing on which the petitioner started to beat her up with slap, fist, kick and lathi and also started to press her neck with intent to kill her and in course of defence, some abrasion has been made from Chhilani on the petitioner and the petitioner used to threaten her for withdrawing the aforesaid criminal case.

It has been submitted on behalf of the petitioner that the petitioner is ready to keep the informant but for the some reason or other the informant is not agree to stay with the petitioner. It has further been submitted that the petitioner is ready to deposit

amount of Rs. 5,000/- per month in the court below which may be released in favour of the informant.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R. and he is the husband of the informant.

Considering the aforesaid facts and circumstances, the petitioner is directed to deposit amount of Rs. 5,000/- per month in the court below which shall be released in favour of the informant, let the petitioner, above named, 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 C.J.M., Jehanabad, in connection with Arwal Mahila P.S. Case No. 06 of 2015.

U.K./-

(Sudhir Singh, J)

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