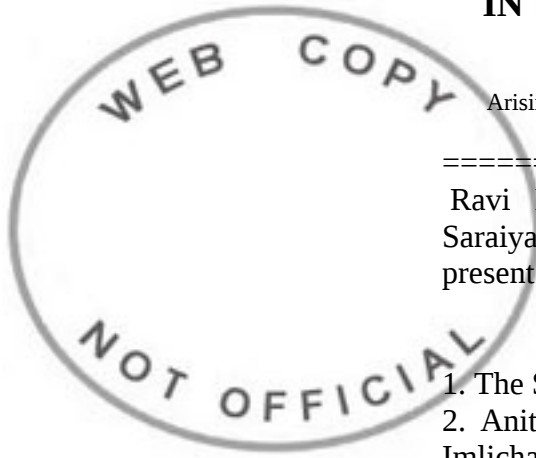




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6331 of 2015

Arising Out of PS.Case No. -1541 Year- 2013 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Ravi Kumar Gupta son of Ajgabinath Gupta, resident of village-
Saraiyaganj Tower Chowk, P.S.- Muzaffarpur, Dist- Muzaffarpur, at
present Resident of Mohalla- Miscot Motihari, Dist- East Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Anita Kumar w/o Ravi Kr. Gupta, D/o Amarnath Gupta, Resident of
Imlichatti Muzaffarpur, Near Govt. Bus Stand, P.S.- Brahmpura, Dist-
Muzaffarpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Adv.

For the Opposite Party/s : Mr. Dr.M.K.Gautam, App

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 16-02-2015 Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 1541 of 2013, registered for the offence punishable under
Section 498A of the Indian Penal Code.

The complainant made allegation of demand of dowry
and torture against her husband.

It is submitted on behalf of the petitioner that
immediately after lodging the present complaint, the wife filed
another case bearing Muzaffarpur Town P.S. Case No. 476 of
2013 on 05.09.2013 and the petitioner was arrested on 06.09.2013

and thereafter he was released on bail.

In the present complaint summon was issued on 27.06.2014. The petitioner also filed Divorce Case No. 47 of 2013 but the wife filed M.J.C. No. 3719 of 2014 for transfer of the aforesaid divorce case.

Learned counsel for the complainant, on the other hand, while opposing prayer of anticipatory bail of the petitioner submitted that she is ready to live with the petitioner but her husband does not want to keep her and the husband was directed to give maintenance but the order is yet to be complied with.

On consideration of the facts, it appears that the present complaint petition was filed on 20.06.2013. The complaint was kept for enquiry but immediately thereafter Muzaffarpur Town P.S. Case no. 476 of 2013 was registered under Section 498A and other sections of the Indian Penal Code by the complainant. The petitioner was arrested on 06.09.2013. Petitioner had remained in jail for substantial period, thereafter the petitioner was summoned to appear in the present complaint petition.

Considering the facts aforesaid and the fact that Petitioner had remained in jail for substantial period and there is same and similar allegation in both the complaints, 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 bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur in connection with Complaint Case No. 1541 of 2013 subject to the conditions a laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

Prakash/-

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