

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22126 of 2015

Arising Out of PS.Case No. -58 Year- 2014 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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1. Mohan Kumar Son of Late Yadunandan Singh Resident of village -
Nisibuchak, P.S. Fatuha, District - Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi Wife of Mohan Kumar, D/o Ramashish Prasad Resident of
village - Korai, P.S. Deepnagar, District - Nalanda

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Satya Ranjan Sinha
For the Opposite Party/s Mr. Smt. Meena Singh(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

02/ 07.07.2015 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Mahila
(Bihar) P. S. case no. 58/2014 registered under sections 498A, 406 of
the Indian Penal Code and 3/ 4 of the D.P. Act.

Petitioner happens to be husband of the informant whose
marriage was solemnized with the petitioner in the year 2004 and
admittedly, present case was lodged in the year 2014 i.e. after ten
years of marriage.

Although an omnibus and general allegation of demand of
dowry and torturing has been levelled against the petitioner and others
accused but from perusal of the impugned order of the learned
Sessions Judge, it is apparent that informant, herself, does not want to
lead her conjugal life with the petitioner and she has already filed

maintenance case against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that in the event of arrest/ surrender within four weeks from the date of receipt of this order to the concerned court, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Biharsharif in Mahila (Bihar) P. S. case no. 58/2014 subject to condition as laid down under section 438(2) of the Cr.P.C.

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(Hemant Kumar Srivastava,J)

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