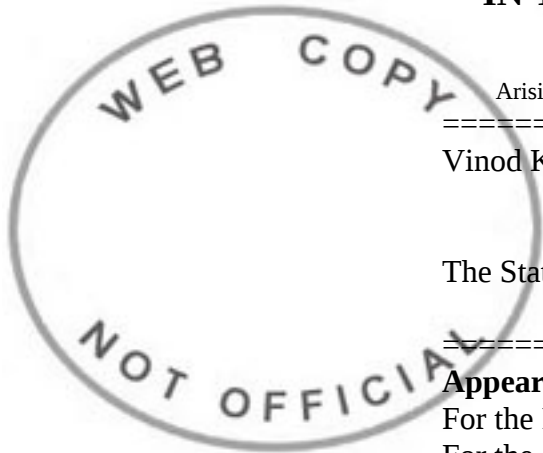




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48424 of 2014

Arising Out of PS.Case No. -27 Year- 2014 Thana -MAHILA P.S. District- LAKHISARAI

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Vinod Kumar @ Binod Kumar

.... Petitioner.

Versus

The State of Bihar

.... Opposite Party.

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Appearance :

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

For the State : Mr. Rajendra Nath Jha (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 16-02-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 498(A) of the Indian Penal Code.

The basic accusation is of torture.

It is alleged by the informant that she performed love marriage with the petitioner in the year 2013 thereafter she was being taken to Rourkela and kept in the railway quarter as the petitioner is a railway employee but subsequently demand of dowry was made.

It is submitted by learned counsel for the petitioner that the petitioner disputes the factum

of marriage. The petitioner got the railway quarter subsequent to claim of marriage in 2014 whereas the informant claims that she was residing with the petitioner in December 2013 in railway quarter at Rourkela.

Considering the fact that the factum of marriage is in dispute, let the petitioner, above named, be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned court below within a period of twelve weeks from today in connection with Lakhisarai Mahila P.S. Case No. 27 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 C.J.M. Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Let the learned court below decide the preliminary issue with regard to factum of marriage of the petitioner with the informant within a period of four months from the date of receipt/production of copy of the order and if the learned court below comes to conclusion that the petitioner was not married with the informant then the provisional bail of the petitioner will be confirmed but if the

learned court below comes to conclusion otherwise
then the petitioner will surrender and pray for
regular bail.

U.K./-

(Dinesh Kumar Singh, J)

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