

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20374 of 2016

Arising Out of PS.Case No. -128 Year- 2014 Thana -ATHMALGOLA District- PATNA

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Umesh Kumar Prabhakar, son of Sri Baleshwar Prasad, resident of Mohalla-
Professor Colony Naya Tola Madhopur, P.S.-Bakhtiyarpur, District-Patna

.... Petitioner/s

Versus

1. The State of Bihar
2. Asha Kumari, daughter of Kamta Prasad Roy, resident of Village-
Kalyanpur, P.S.-Athmalgola, District-Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Rajesh Kumar Singh

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-05-2016 The petitioner being husband of the informant is languishing in custody since 19.02.2016 in a case registered for the offences punishable under Sections 498A/34, 315 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torture for non-fulfilment of dowry demand and getting the pregnancy terminated.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant. The petitioner filed Matrimonial Suit No. 5183 of 2014 on 02.04.2014 with a prayer for annulment of marriage and thereafter the present F.I.R was registered on 20.06.2014. On conclusion of the investigation the charge-sheet has been submitted under Section 498A of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

It is submitted by learned counsel for the informant that though severe the torture was inflicted but still the informant is ready to resume the conjugal life.

Considering the filing of the matrimonial suit at earlier point of time and the conclusion of the investigation, 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 learned Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 128 of 2014.

The present order will not preclude the parties to resolve the issue otherwise.

(Dinesh Kumar Singh, J)

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