

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46786 of 2016

Arising Out of PS.Case No. -66 Year- 2016 Thana -MAHILA P.S. District- SAHARSA

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Dhirendra Kumar son of Ramesh Chandra Ranna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sameer Ranjan, Adv.

For the Opposite Party/s : Mr. Sri Dinesh Singh, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-10-2016

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 498A, 323 and 379/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The prosecution case is that the informant claims to have married with the petitioner on 30.07.2016 and after the marriage, the petitioner remained in the in-laws house. It is alleged that on 04.08.2016 in the morning at 8 AM the informant's father-in-law and another in-laws along with four unknown persons came on motorcycle called the husband of the informant and when came out from the house then the accused persons conveyed that they are not ready to accept the marriage and demanded dowry of ₹8 lacs, motorcycle and other articles. The accused persons also made assault to the family members of the informant.

It is submitted by the learned counsel for the petitioner

that in fact the petitioner was kidnapped and forcibly married with the informant leading to registration of Saur Bazar P.S. Case No. 305 of 2015 on 05.08.2016 levelling accusation under Sections 365 and 379/34 of the IPC against the brother of the informant. It is further submitted that the petitioner preferred Matrimonial Suit No. 65 of 2016 with a prayer for declaring the alleged marriage null and void and thereafter, the present FIR was registered on 09.08.2016 before the Saharsa Mahila police station though the informant's residence is within the territorial jurisdiction of Saur Bazar police station. The marriage was never consummated.

Considering the lodging of the case by the petitioner's side at earlier point of time when the factum of marriage is in dispute, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa in connection with Mahila P.S. Case No. 66 of 2016, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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