

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16822 of 2016

Arising Out of PS.Case No. -814 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mithilesh Mahto @ Bajrangi Mahto @ Bajrangi, son of Chando Mahto @ Chandeshwar Prasad, resident of Village-Rana Bigha P.S.-Deep Nagar, District-Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi wife of Bajrangi Mahto @ Mithilesh Mahto, village-Rana Prigha P.S.-Deepnagar, District-Nalanda, Biharsharif

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-04-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but the marriage has been dissolved vide judgment dated 10.07.2014 passed by Principal Judge, Family Court, Nalanda at Biharsharif in Divorce Case No. 244 of 2012 on the ground that complainant is leading adulterous life. It is

further submitted that earlier also the complainant has filed Deep Nagar P.S. Case No. 66 of 2014 with accusation under Sections 323, 498A, 504/34 of the Indian Penal Code in which the petitioner is on bail.

Considering the passing of the order for the dissolution of marriage between the petitioner and the complainant, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Complaint Case No. 814C of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Shageer/-

(Dinesh Kumar Singh, J)

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