

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31465 of 2016

Arising Out of PS.Case No. -6 Year- 2015 Thana -MAHILA P.S. District- NALANDA
(BIHARSHARIFF)

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Anchal Kumar @ Akash Kumar Son of Late Mohan Prasad resident of
Village- Sinawan, P.S.- Parwalpur, District- Nalanda.

.... Petitioner

Versus

1. The State of Bihar.
2. Asmita Kumari daughter of Jagdish Prasad, resident of Village- Rukhai,
Nawada, P.S.- Chandi, District- Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar

For the Opposite Party/s : Mr. Sri Ashok Kumar Singh 1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**

ORAL ORDER

2 28-07-2016 Heard learned counsel for the parties.

The petitioner being the husband of the informant is languishing in custody since 13.6.2016 in a case registered for the offences punishable under sections 341, 323, 504, 498A of the Indian Penal Code and 3/4 of the dowry Prohibition Act.

Prosecution case is of torture for non-fulfillment of dowry demands of Rs.1 lac and a motorcycle. Rs. 50,000/- was given to the petitioner by the father of the informant but again the accused persons tortured the informant for non-fulfillment of rest of the amount of Rs.50,000/- and the petitioner has solemnized second marriage with another girl.

It is submitted by the learned counsel for the petitioner that

the petitioner has not performed second marriage but there is no statement to that effect in the petition. However, the petitioner is still ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in paragraph 7 of this petition. Moreover, investigation has already concluded and final report (charge sheet) has been submitted under sections 341, 323, 504, 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Considering the fact that the investigation has already concluded and the present stand of the petitioner as stipulated in paragraph 7 of this petition, let the petitioner, abovenamed, 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 the Sub-divisional Judicial Magistrate, Nalanda in Mahila P.S.Case No. 06/2015.

(Dinesh Kumar Singh, J)

Surendra/-

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