

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25333 of 2016

Arising Out of PS.Case No. -165 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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Ajit Pathak, Son of Sri Birendra Pathak, resident of village Chandrapura,
P.S. Brahampur, in the district of Buxar

.... Petitioner

Versus

1. The State of Bihar

2. Anita Devi, wife of Ajit Pathak, presently residing in Mohalla Bihari
Mill, Station Road, P.S. Ara, Nawada in the district of Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma

For the Opposite Party/s : Mr. Sri Navin Kumar Pandey

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

ORAL ORDER

3 25-07-2016

Heard learned counsel for the parties.

The petitioner being the husband of the informant is languishing in custody since 11.4.2016 in a case registered for the offences punishable under sections 341, 323, 498A, 354, 504, 376/511 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of dowry demands and making assault. It is alleged that the petitioner's father Birendra Pathak made attempt to ravish the informant.

It is submitted by the learned counsel for the petitioner that the marriage was dissolved by an ex-parte decree of divorce prepared on 7.1.2014 on the basis of judgment and order dated

21.12.2013 and the said judgment has not been challenged though statement to that effect has not been made in this petition.

It is submitted by the learned A.P.P. after going through the case diary that the matrimonial suit was filed by the petitioner by giving a wrong address of the informant but this fact has not been controverted by the learned A.P.P. that the investigation has already concluded.

Considering the fact that the investigation has already concluded, 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 Chief Judicial Magistrate, Ara in Mahila P.S. Case No. 165/2014.

(Dinesh Kumar Singh, J)

Surendra/-

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