

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5509 of 2017

Arising Out of PS.Case No. -5 Year- 2015 Thana -GOPALGANJ COMPLAINT CASE District-
GOPALGANJ

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Ram Balak Kushawaha, Son of Murat Kushawaha, Resident of Village-
Parsahi, P.S.- Vijaipur, District- Gopalganj.

.... Petitioner.

Versus

1. The State of Bihar.
2. Sakuntala Devi, Wife of Ram Balak Kushawaha, D/o Ramadhar Prasad, Resident of Village- Parashi, P.S. Vijaipur, District- Gopalganj. At Present resident of Village- Kothwalia, P.O. Mushahari, P.S. Vijaipur, District- Gopalganj.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr.
For the State : Mr.
For the complainant/O.P. No.2 : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

4 08-05-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Complaint Case No.5 of 2015 (Tr. No.1330 of 2016) registered under
Sections 498(A) and 323 of the Indian Penal Code.

The accusation is of torturing the complainant/opposite
party no.2 by her husband (petitioner) and in-laws for non fulfillment of
the dowry demand of a motorcycle and also ousting her from the
matrimonial house alongwith her daughter after taking the personal
belongings of the complainant/opposite party no.2.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is the husband of the complainant/opposite party no.2 and the petitioner has falsely been implicated in this case due to misunderstanding. The petitioner is still ready to keep the complainant/opposite party no.2 with full honour and dignity.

It appears that the notice, as issued to the complainant/opposite party no.2 under ordinary process as well as registered cover with A/D, has been received by the complainant/opposite party no.2 personally but today, no one has appeared on her behalf.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gopalganj, in connection with Complaint Case No.5 of 2015 (Tr. No.1330 of 2016), subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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