

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15604 of 2017

Arising Out of PS.Case No. -287 Year- 2016 Thana -MOTIHARI MUFASIL District-
EASTCHAMPARAN(MOTIHARI)

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Kapildeo Ram, S/o Late Pardeshi Ram, R/o Village- Jamala, P.S.- Muffasil
Motihari, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Nitu Kumari, W/o Kapildeo Ram, D/o Shiv Govind Ram, R/o Village-
Raghunathpur (Balua), P.S.- Turkauliya, Dist- East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 18-04-2017 Heard both sides.

The petitioner apprehends his arrest in Motihari
Muffasil P.S. Case No. 287/2016, registered for the offences
punishable under Section 498(A) and other sections of the Indian
Penal Code.

The wife of the petitioner made allegation that the
petitioner subjected her to physical and mental torture due to non-
fulfillment of demand of dowry. She got a child of one and half
years, but her husband and others made an attempt to kill her.

Learned counsel for the petitioner submits that the



allegations are false and concocted. The informant lodged Muffasil P.S. case No. 266/2016 under Section 354(B) and other sections of the Indian Penal Code against Kanhaiya Ram, Shambhu Ram and Yugal Ram as the accused persons, made an attempt to outrage her modesty after entering into the house of the petitioner, but the victim compromised the case without the consent of the petitioner. The informant has got extra-marital relationship with Shambhu Ram and that is why the informant does not want to live with the petitioner.

Learned counsel for the informant opposed the prayer for anticipatory bail of the petitioner, but at the same time submitted that the informant is not ready to live with her husband (petitioner), as her husband subjected her to all sorts of torture, whereas, petitioner is ready to keep his wife.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Motihari, East Champaran in connection with Motihari Muffasil P.S. Case No.



287/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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