

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21397 of 2017

Arising Out of PS.Case No. -1220 Year- 2015 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Birendra Bhagat, Son of Shiva Bhagat, resident of Village- Bahdinpur,
P.S.- Paroo, District- Muzaffarpur.

.... Petitioner

Versus

1. The State of Bihar.
2. Veena Devi, Wife of Birendra Bhagat, D/o Basudeo Bhagat , At present
R/o Village- Mohjamma, Western Tola, P.S.- Paroo, District-
Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Alok Kumar Alok, Advocate
For the Opposite Parties : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 1220 of 2015, Tr. No. 2061/2015 for the
offences instituted under Sections 323, 504, 498(A) and 494 of the
IPC.

The prosecution story, in brief, is that the marriage of the
petitioner was solemnized with the complainant in the year 2010
subjected her to cruelty for fulfilling demand of a motorcycle in
dowry and lastly performed second marriage with one Anita Devi
in the year 2015 and she was driven away from her matrimonial
home after snatching her belongings and two children.

It has been submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation of



tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. No specific allegation has been made against him. The petitioner is ready to keep the complainant as a wife with dull dignity and respect. Learned counsel for the petitioner has relied upon a judgment in the case of Md. Naimul Haque Ansari Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the complaint case and he is the husband of the complainant.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Complaint Case No. 1220/2015, Tr. No. 2061/2015 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M. Ist Class, Muzaffarpur, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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