

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14144 of 2017

Arising Out of PS.Case No. -1018 Year- 2015 Thana -SIWAN COMPLAINT CASE District-
SIWAN

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Ajit Bharti, Son of Madan Bharti, Resident of Village – Dindeyalpur, Police
Station – G.B. Nagar, District – Siwan.

.... Petitioner

Versus

1. The State of Bihar
2. Asha Devi, D/O Ramadhar Bharti, Wife of Ajit Bharti at present
resident of village – Sirsawn Naya Tola, Post Office and Police Station
– Daronda, District – Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Raghav Prasad, Advocate.

For the Opposite Parties : Mr. Dr. Kumar Uday Pratap, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 03-07-2017

Heard both sides.

The petitioner apprehends his arrest in Complaint Case
No. 1018 of 2015 registered for the offences punishable under
Sections 341, 323, 498 (A) and 406 of the Indian Penal Code and
under Sections 3/4 of the Dowry Prohibition Act.

The complainant alleged that she was married to the
petitioner in the year 2002 and she gave birth to three children but
the petitioner subjected her to physical and mental torture and
drove her out from the house.

Learned counsel for the petitioner submits that,
ofcourse, the petitioner was married to the complainant in the year
2002 but the complainant left the house of the petitioner and she



was working in a non-banking company. The complainant developed relation with the cashier of the non-banking company. The complainant and the petitioner together sworn affidavit that they wanted to live separately. Thereafter, the petitioner filed divorce case and the same is pending but, the complainant filed this complaint case in the year 2015.

Considering the facts aforesaid and the fact that the complainant, herself, had sworn affidavit along with her husband for separation and the petitioner filed divorce case in the year 2011 but the complaint filed this complaint case in the year 2015, 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 learned Chief Judicial Magistrate, Siwan in Complaint Case No. 1018 of 2015, Subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J.)

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