

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4824 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -PATNA COMPLAINT CASE District- PATNA
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Uday Shankar, S/o Sri Binod Prasad, Resident of Mohalla- Saidpur, P.S.-
Kadamkuan, Town & District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Reshma Gupta @ Nikki, W/o Sri Uday Shankar, D/o Ramnarayan Gupta, Resident of Mohalla- West Phool Bali Gali, Dharhara Kothi, Saidpur, P.S.- Kadamkuan, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjaya Nath Tiwari, Advocate.
For the Opposite Party/s : Mr. Sri Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

10 04-08-2017 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. 79C of 2016 registered under Section 498(A)

of the Indian Penal Code and Section 4 of the Dowry Prohibition

Act.

The accusation is of torturing the complainant-

opposite party no. 2 by her husband and in-laws due to non-

fulfillment of demand of dowry and also to remove from her

matrimonial house along with her two children.

Learned counsel for the petitioner submits that, in fact,



petitioner was the officer in the Military service and due to ill behaviour of the complainant-opposite party no. 2, petitioner left the service and used to reside at Patna but there was no progress in the behaviour of complainant-opposite party no. 2. Thereafter, petitioner filed Matrimonial Case No. 1255 of 2015 for divorce against his wife-opposite party no. 2 but only to give undue pressure the complainant-opposite party no. 2 has filed the present case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Patna, in connection with Complaint Case No. 79C of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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