

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50994 of 2016

Arising Out of PS.Case No. -234 Year- 2014 Thana -EAST CHAMPARAN COMPLAINT District-
EASTCHAMPARAN(MOTIHARI)

=====

Alok Kumar @ Alok Chaubey, Son of Rameshwar Chaubey, Resident of
Mohalla- Belbanwa, P.S.- Motihari Town, District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sanjana Kumari @ Rekha Devi @ Sanjana Devi, wife of Alok Chaubey,
Daughter of Madan Raut, Resident of Mohalla- Belbanwa, P.S.- Motihari
Town, District- East Champaran.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Adv.

For the Opposite Party/s : Mr. Khurshid Anwar, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

5 19-06-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 234 of 2014 registered for offence under
section 498-A of the Indian Penal Code.

The accusation is that the inter-caste marriage of
complainant-opposite party No. 2 was performed with the
petitioner on 17.11.2010 due to love affairs between them. After
marriage, the parents of the complainant gave gift-items of
Rs.3,00,000/-(Rupees three lakhs) to the petitioner. Thereafter, the
complainant-opposite party no. 2 gave birth to a male child on 4th



August 2011, but due to the inter-caste marriage, the petitioner and his family members started torturing to the complainant-opposite party no. 2 and ousted her from matrimonial house.

Learned counsel appearing on behalf of the petitioner submits that it is alleged in the complaint petition that the inter-caste marriage of the complainant-opposite party no. 2 was performed with the petitioner on 17.11.2010 due to love affairs between them, but it would appear that complainant-opposite party No. 2 lodged Motihari (Town) P.S. Case No. 233 of 2011 on 04.07.2011 making allegation of rape against the petitioner in which she has not stated single word about performance of her inter-caste marriage with the petitioner. The present case has been filed after lodging Motihari (Town) P.S. Case No. 233 of 2011 only to give undue pressure upon the petitioner on 31.1.2014

Having considered the facts and circumstances of the case, the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from today, is directed to be enlarged on bail on his furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, East Champaran at Motihari/Successor Court in connection with Complaint Case No. 234 of 2014, subject to the condition as laid down under Section



438 (2) Cr. P.C.

(Rajendra Kumar Mishra, J)

Mahesh/-

U		T	
---	--	---	--

