

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.777 of 2017

Arising Out of PS.Case No. -1031 Year- 2014 Thana -PATNA COMPLAINT CASE District-
PATNA

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Mukesh Singh, S/o Sri Ram Avtar Singh, Resident of Village-
Gulmhiyabag, P.S.- Didarganj, District- Patna, Permanent residing at House
No. 123, Balgikhar, P.O.- Balgi Nagar, P.S.- Banki Mongra, Tahsil-
Katghora, District- Korba (Chhatish garah)

.... Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Usha Singh, D/o Late Shiv Dayal Singh, W/o Mukesh Singh,
Resident of House of Kedar Rai, Pakki Dargah, P.S.- Fatuha, District-
Patna.

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Iftekhar Mahmood, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 12-01-2017 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No. 1031/2014, registered for the offences punishable under
Section 498A of the Indian Penal Code and Sections 3 and 4 of the
Dowry Prohibition Act.

The wife made allegation that the petitioner
demanded additional dowry and subjected her to physical and
mental torture and drove her out from the house.

Learned counsel for the petitioner submits that the
present complaint petition was filed in the year 2014. Prior to



filing of the present complaint petition, the complainant filed Maintenance Case no. 01/2013 in the court of Dy-Commissioner-cum-Chief Judicial Magistrate, Itanagar (Arunachal Pradesh) and the same is still pending. The petitioner filed divorce case in the court of Principal Judge, Family Court, Katghora District – Korba. Judicial separation was granted. The complainant filed appeal against the order of judicial separation of First appeal (M) No. 71/2014 in the High Court of Chhattisgarh at Bilaspur.

Considering the facts aforesaid and the fact that prior to the present complaint petition there is series of litigation between the petitioner and his wife for maintenance and divorce, 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 Sub-Divisional Judicial Magistrate, Patna City, Patna in connection with Complaint Case No. 1031/2014, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Prabhat Kumar Jha, J.)

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