

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.21469 of 2017

Arising Out of PS.Case No. -79 Year- 2016 Thana -SULTANGANG District- PATNA

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Vijay Ram, son of Sri Nand Lal Ram, resident of Village- New Ambedkar Colony, Khadper, P.S.- Sultanganj, District- Patna.

.... Petitioner

Versus

1. The State of Bihar.

2. Rupa Devi, wife of Sri Vijay Ram, resident at present China Kothi, Harijan Colony, P.O. G.P.O., P.S.- Budha Colony, District- Patna.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Digamber Kr. Singh, Advocate.

For the State : Mr. Kanhaiya Kishore, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner is apprehending his arrest in connection with G.R. No. 1340 of 2016, arising out of Sultanganj P.S. Case No. 79 of 2016 for the offences instituted under Sections 498(A), 341 and 323/34 of the IPC.

The prosecution story, in brief, is that the informant was married with this petitioner. She has four sons. After marriage, the petitioner kept the informant peacefully for two years. In the meantime, the petitioner has entangled with another lady, namely, Kiran Devi. When the informant raised objection, the petitioner started demanding dowry and on non-fulfilment of the same, she



was assaulted. Thereafter, the petitioner performed marriage with the said Kiran Devi.

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. After 20 years of the marriage, the present case has been instituted by the wife of 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 informant as a wife with dull dignity and respect. Learned counsel for the petitioner has further 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 F.I.R. and he is the husband of the informant.

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 G.R. No. 1340 of 2016, arising out of Sultanganj P.S. Case No. 79/2016 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, Patna City, Patna, subject to the conditions as laid
down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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