

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.20806 of 2017

Arising Out of PS.Case No. -5 Year- 2017 Thana -MAHILA P.S. District- PATNA

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Vipin Chandra Son of Dineshwar Thakur Resident of Road No. 3 Adarsh
Nagar Colony, P.S.- Phulwarisharif, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

2. Amrita Kumari Daughter of Sri Ram Nath Thakur Resident of
Kidwaipuri, P.S. Budha Colony, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Dhari Singh, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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

ORAL ORDER

6 08-09-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 05 of 2017 for offence under Sections 498A,
323,504,506 and 34 of the Indian Penal Code.

The allegation of informant is that she was being
tortured, due to non-fulfillment of demand of dowry at the hand of
her husband and in-laws. Thereafter she lodged the complaint on
08.05.2013 in Gandhi Maidan Mahila Police Station in which
compromise petition was filed and she returned to *Sasural*. But
after one month of compromise, her husband and in-laws started
torturing her making demand of Rs. 15 lacs. The informant came
to know that her in-laws are making plan to remove her and her
daughter, then she returned to her parental house.

Learned counsel appearing on behalf of the petitioner



submits that at present the petitioner who is a doctor and pursuing Super Specialty Course in Urology at Kolkata, due to ill behavior of his wife informant O.P. No. 2, he filed the divorce case no. 1241 of 2016 before the Principal Judge, Family Court, Patna on 02.12.2016 and thereafter, the present case has been lodged on 15.02.2017, with false allegation of demand of cash Rs. 15 lacs.

On the other hand, learned counsel appearing on behalf of the informant O.P. No. 2 submits that, in fact, she was being tortured at the hand of her husband-petitioner and in-laws. She was at her Sasural house till 19.12.2016 and behind her, her husband lodged the divorce case on 02.12.2016 on 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 his arrest or surrender before the Court below within a period of four 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 learned Judicial Magistrate, 1st Class, Patna in connection with Mahila P.S. Case No. 05 of 2017 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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