

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36258 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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Ashutosh Kumar, son of Late Devendra Thakur, resident of Mohalla-Diwan
Mohalla Dulighat Patnacity, P.S. Khajekala, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rajani Kumari, wife of Ashutosh Kumar, resident of Mohalla-Diwan
Mohalla Dulighat Patna City, P.S. Khajekala, District-Patna, at present
Daughter of Sunil Kumar Jha, resident of village-Morwadih, P.S.
Musarigharari, District-Samastipur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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

ORAL ORDER

2 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 C.R.
No.131 of 2016/T.R. No.1633 of 2017 registered under Sections
498(A), 313, 354, 406, 452, 379 and 504/34 of the Indian Penal
Code.

The accusation is of torturing the complainant/opposite
party no.2 due to non fulfillment of demand of cash Rs.2,00,000/-
in dowry to purchase the land at the hands of her husband
(petitioner) and other in-laws and to remove the
complainant/opposite party no.2 from her matrimonial house by



snatching her belongings.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be the husband of the complainant/opposite party no.2. The petitioner is in Military Service and, at present, is posted at Arunanchal Pradesh at China Border. In fact, the father of the petitioner had given Rs.2,00,000/- to the father of the complainant/opposite party no.2 to purchase the land at Danapur, Patna, but the father of the complainant/opposite party no.2 purchased the land in his own name and when the father of the petitioner made complaint to him, he got managed to lodge this false case. Further submission is that the petitioner has filed Matrimonial Case No.872 of 2012 before the Principal Judge, Family Court, Patna for restitution of conjugal rights against the complainant/opposite party no.2 in which the matter was settled but, thereafter, under pressure of her parents, the complainant/opposite party no.2 has lodged this false case.

Having considered the facts and the circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-IV, Samastipur, in



connection with C.R. No.131 of 2016/T.R. No.1633 of 2017,
subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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