

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60697 of 2017

Arising Out of PS.Case No. -2745 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE
District- MUZAFFARPUR

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Ashutosh Kumar @ Munna Kumar, son of Lal Babu Prasad @ Lal Babu Prasad Kushwaha, Resident of Village- Sodhana Madhopur, P.S.- Siwaipatti, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Krishnadeo Prasad, son of Late Gonaour Prasad, Resident of Village- Sodhana, Madhopur, P.S.- Siwaipatti, Distt- Muzaffarpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, petitioner
For the State : Mr. Md. Fahimuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Complaint Case No.2745 of 2016 registered under Sections 323, 341, 379 and 354B of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that no occurrence as alleged in the complaint has ever taken place. In fact, the petitioner is husband of the daughter of opposite party no.2. Since both of them solemnized marriage before the Marriage Officer, Muzaffarpur on 29.04.2016 in presence of the witnesses as they had fallen in love and the complainant being not



happy with the said marriage has filed the present complaint.

On the other hand, learned counsel for the complainant opposed the prayer for grant of pre-arrest bail to the petitioner. He submitted that even prior to the present case the daughter of the complainant had instituted a case against the petitioner in which investigation is going on. On query regarding certificate of marriage enclosed as Annexure-2 to the present application, he submitted that he has no instruction regarding the same.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Muzaffarpur in connection with Complaint P.S. Case No.2745 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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