

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31145 of 2017

Arising Out of PS.Case No. -3994 Year- 2015 Thana -PATNA COMPLAINT CASE District-
PATNA

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1. Ajit Kumar Nirala, S/o Sri Dineshwar Prasad Yadav, R/o Radhanagar
P.O.+P.S.- Banmankhi, District- Purnia (Bihar) Petitioner

Versus

1. The State of Bihar.

2. Anshu Kumari, W/o Ajit Kumar Nirala, resident of Yamuna Yadav Path,
Anishabad, P.O.- Anishabad, P.S.- Beur, District- Patna.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Shashi Shekhar Kumar Prasad, Adv.

For the State : Mr. Shyam Kumar Singh, APP 138

For the complainant : Mr. Sanjeev Kumar, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 13-07-2017

Heard the learned counsel for the petitioner, opposite
party no. 2 and the State.

This is a petition for grant of anticipatory bail for
offence under Sections 323, 341, 307, 379, 498A, 420, 454, 506,
509, 417, 120B and 504/34 of the Indian Penal Code.

The petitioner is husband of opposite party no. 2 and
allegation is of demand of dowry and torture for the same.

The complaint petition, with the aforesaid allegation,
was filed on 01.12.2015 by opposite party no. 2. Prior to that the
petitioner had filed a case for divorce, vide Annexure 5, in July,
2015, alleging therein that opposite party no. 2 is leading
adulterous life with Dr. Tumma Guru Kiran Babu. In November,
2015, the wife of Dr. Tumma Guru Kiran Babu also filed a
divorce case against her husband on the ground that he is in extra
marital relationship with opposite party no. 2.

Submission of the learned counsel for the petitioner
is that in the background of aforesaid factual position, chance of
restoration of conjugal life is not there.



On the other hand, the learned counsel for opposite party no. 2 submits that in fact everything has been concocted, due to non-fulfillment of dowry demand.

Considering the entire facts and circumstances and background of the allegation, let the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each in connection with **Complaint Case No. 3994(C) of 2015** to the satisfaction of the **Additional Chief Judicial Magistrate, XI, Patna**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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