

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55684 of 2018

Arising Out of PS.Case No. -154 Year- 2017 Thana -SIMRI District- DARBHANGA

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Hirday Kumar Mishra @ Hira Mishra @ Heera, Son of Late Hit Mishra,
Resident of Village - Jagwan, P.S. - Patauna (O.P.), Bisfi, District -
Madhubani.

.... Petitioner

Versus

1. The State of Bihar.
2. Laxmi Kumari, Wife of Hirday Kumar Mishra @ Hira Mishra @ Hira,
Daughter of Late Uday Kant Mishra, at present resident of Village -
Mishrauli, P.S. - Simri, District - Darbhanga.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary, Advocate

For the Opposite Party/s : Mrs. Pushpa Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 20-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection
with Simri P.S. Case No.154 of 2017 registered under Sections
498A of the Indian Penal Code, Sections 3 and 4 of the Dowry
Prohibition Act.

It is submitted by the learned counsel for the
petitioner that there is no truth behind the allegations made in



the first information report. The petitioner has never ever subjected the informant to cruelty. He contended that as a matter of fact it is the informant who does not want to live in her matrimonial home and all efforts to bring her back to the matrimonial home have failed.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Having regard to the nature of allegation and the submissions made above, 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/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Darbhanga in connection with Simri P.S. Case No. 154 of 2017 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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