

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54710 of 2018

Arising Out of PS. Case No.-11 Year-2018 Thana- MAHILA PS District- Darbhanga

Amit Gaurav, Son of Shri Ashok Kumar Singh, Resident of Village- Jaitpur,
P.S.- Barahiya, District- Lakhisarai.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner	:	Mr. Jyoti Ranjan Jha, Advocate.
For the State	:	Mr. Ataur Rahman, A.P.P.
For the Informant	:	Mr. Iqbal Asif Niazi, Advocate.

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

ORAL ORDER

2 10-10-2018 Heard learned counsel for the petitioner and the learned
A.P.P. for the State as also the learned counsel for the informant.

The petitioner apprehends his arrest in connection with Mahila P.S. Case No.11 of 2018 registered under Sections 323, 498(A) and 504/34 of the Indian Penal Code besides Sections 3/4 of the Dowry Prohibition Act.

The accusation is of torturing the informant by her husband (petitioner) and other in-laws for non-fulfillment of demand of dowry of cash Rs.7,00,000/- and one Bolero vehicle and also removing the informant along with her child from the matrimonial home, causing assault through fists and slaps.

Learned counsel appearing for the petitioner submits that before filing of the present case, the petitioner had filed Matrimonial (Divorce) Case No.01 of 2018 before the Principal Judge, Family



Court, Lakhisarai. Further submission is that while at the time of rejecting the pre-arrest bail of the petitioner by the Sessions Judge, Darbhanga, the Sessions Judge, Darbhanga, tried to resolve the dispute in between the petitioner and the informant but the informant was not ready to live with her husband (petitioner).

Learned counsel for the informant submits that the informant had already filed a complaint case in Bengaluru against the petitioner and when a legal notice was issued to the petitioner in the complaint case, then the petitioner filed the Divorce 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 Sub Divisional Judicial Magistrate, Darbhanga, in connection with Mahila P.S. Case No.11 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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