

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31602 of 2018

Arising Out of P.S.Case No. -270 Year- 2017 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Vivek Kumar Son of Krishna Prasad Resident of Mohalla- Raja Bazar near
Murlidhar School, Jehanabad, Police Station- Jehanabad in the District of
Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Kumari Alka Sinha Wife of Vivek Kumar, Daughter of Shrawan Prasad@ Jagdish Prasad at Present of Mohalla Shivaji Path, Police Station- Jehanabad in the district of Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Navin Sharma

For the Opposite Party/s : Mr. Rajballabh Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 07-06-2018 Heard learned counsel for the petitioner, learned counsel
for the complainant and the learned APP for the State.

The petitioner is in custody since 20.04.2018 in connection with Complaint Case No.270 of 2017 registered for an offence under Sections 498(A), 323 and 504 of the IPC and Section 3/4 of the Dowry Prohibition Act.

It has been submitted that the petitioner is husband of the complainant and it is alleged that on account of non-fulfilment of demand of dowry, the present case has been lodged. It has been submitted that the petitioner was having love affairs with the complainant and thereafter the marriage was solemnized. The



petitioner has already filed a case for Restitution of Conjugal Rights. The petitioner is ready to keep the complainant with full honour and dignity. The allegation of assault is omnibus and so he deserves to be enlarged on bail.

The learned APP as well as the complainant opposed the submissions.

Considering the facts and circumstances of the case, prayer for bail is allowed. Let the above named petitioner 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 CJM, Jehanabad in connection with Complaint Case No.270 of 2017.

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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