

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60471 of 2018

Arising Out of PS. Case No.-2086 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Umesh Rai @ Umesh Kumar, S/o Kamal Rai, R/o Vill. & P.O.- Baikunthpur,
P.S.- Rajapakar, District- Vaishali at Hajipur.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Sharmila Kumari W/o Umesh Rai @ Umesh Kumar D/o Sahadev Rai, R/o Vill. & P.O.- Baikunthpur, P.S.- Rajapakar, District- Vaishali at Hajipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 11-12-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the complainant.

The petitioner seeks pre-arrest bail in connection with Complaint Case No.C1-2086/2017 in which cognizance has been taken for the offences punishable under Sections 498A read with 34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

It is contended by the learned counsel for the petitioner that there is no truth behind the allegation of demand of dowry and subjecting the complainant to cruelty for non-fulfilment of the same. It is further contended that due to matrimonial discord and incompatibility between the



complainant and the petitioner, the present case has been instituted.

On the other hand, learned counsel for the State and the complainant opposed the application. They submitted that there is specific allegation against the petitioner that he demanded a motorcycle from the parents of the complainant and for non-fulfilment of the same, the complainant was being subjected to cruelty.

Be that as it may, considering the nature of allegation, in the event of arrest or surrender in the court below within a period of 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 Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No.C1-2086 of 2017/ Tr. No.3035 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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