

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7083 of 2019

Arising Out of PS. Case No.-642 Year-2012 Thana- GOVERNMENT OFFICIAL COMP.
District- Nalanda

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Vidya Bhushan Prasad @ Vidya Bhushan Prasad @ Vidya Nand Bhushan, son of Shankar Dayal Prasad, resident of Gandhi Nagar, Jhumri Tilaiya, P.S-Jhumari Tilaiya, Distt.-Kodarma(Jharkhand)

... .. Petitioner

Versus

1. State Of Bihar
2. Indu Kumari, wife of Vidya Bhushan Prasad @ Vidya Bhushan Prasad @ Vidya Nand Bhushan at present daughter of Basdeo Prasad, resident of Keshopur, P.S-Telhara, Distt.-Nalanda.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh
For the Opposite Party/s : Mr.Lalan Kumar(App224)

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-04-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 642 of 2012, registered for the offences punishable under Sections 323, 341, 504, 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife to cruelty with respect to demand of cash of Rs.50,000/-, gold chain and motorcycle.

Submission of learned counsel for the petitioner is that marriage was solemnized in the year 2009 and she was not residing with the petitioner and a mutual divorce case under Section 13(B) of the Hindu Marriage Act has been filed and thereafter she was not appearing in that case also.



Heard learned APP and learned counsel for opposite party No.2, who has opposed the prayer for anticipatory bail on the ground that her signature has been obtained in the mutual divorce petition and no order of divorce has been passed and she has been subjected to cruelty.

Having heard both sides and in the facts and circumstances, as stated above, let petitioner, above named, in the event of arrest or surrender within a period of six weeks from the receipt of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Hilsa, Nalanda, in connection with Complaint Case No. 642 of 2012, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further condition that one of the bailors of the petitioner shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned and further condition is that petitioner has co-operate in the trial.

(Vinod Kumar Sinha, J)

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