

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.632 of 2019

Arising Out of PS. Case No.-62 Year-2017 Thana- MAHILA P.S. District- Sitamarhi

Govind Mandal Son of Naresh Mandal Resident of Village- Sursand, Police
Station- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi Wife of Govind Mandal R/V- Sursand, P.S.- Sursand, District-
Sitamarhi, At Present D/O- Vijay Mandal, R/M- Old Muhala Jankisthan,
Ward No. 5, P.S.- Sitamarhi, Dist- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr. Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 03-05-2019 This is an application for grant of anticipatory bail in
connection with Sitamarhi (Mahila) P.S. Case No. 62 of 2017,
disclosing offences under Sections 323, 498(A), 406, 506 of the
Indian Penal code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his wife
to cruelty and ousted her from the house with respect to demand of
one Hero Honda Motorcycle and one lac cash.

Submission of learned counsel for the petitioner is that
whole allegation is false and concocted and as a matter of fact while
the petitioner working outside, the opposite party no.2 developed
illicit relationship with one Sanjay Sah and fled away with him, for
which petitioner has lodged a case of kidnapping against Sanjay Sah
and in that case charge-sheet has also been submitted and



furthermore in that case statement of opposite party no.2 was recorded under Section 164 Cr.P.C. in which she has stated that she had gone with her own sweet will, which will appear from order dated 25.02.2017, which is Annexure-3 and after return, the present false case has been lodged. It has also been submitted that case diary also disclosed about the love affair between Sanjay Sah and the opposite party no.2 in para 22.

It appears that earlier notice was issued to the opposite party no.2 and registered notice was received by the opposite party no.2 but she did not choose to appear in this case.

Heard learned APP also.

Having heard both sides, in view of the facts and circumstances as stated above, let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi (Mahila) P.S. Case No. 62 of 2017, subject to that condition that laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Amjad/SKSuman.

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