

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4839 of 2019

Arising Out of PS. Case No.-939 Year-2017 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Anand Mohan Mishra son of Sanjay Kumar Mishra , resident of Village –
Barheta P.S. Kutumba, District Aurangabad .

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Devi Anand Mohan Mishra Village - Nawadih, Post - Dangwar
Thego, P.S. - Husenabad,

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar
For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 07-05-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.939 of 2017 , registered for offences punishable under Sections 323,498A/34 of the Indian Penal Code and Section 4 of the D.P.Act.

In this case, notice was issued to the O.P.no.2 and it appears that brother of the O.P.no.2 has received notice and a petition for jointness has also been filed by filing I.A.No.1 of 2019 but nobody appears on behalf of O.P.no.2, as such I.A.No.1 of 2019 is allowed.

Allegation against petitioner is of demand of Rs.05 lac from O.P.no.2 (wife) and due to non-fulfillment of the demand O.P.no.2 was ousted from the house.

Submission of the learned counsel for the petitioner is



that he is still ready to keep her but a divorce case has been filed by O.P.no.2 being Matrimonial Case no.231 of 2018 before the Family Court, Aurangabad as such it appears that she is not ready to reside with the petitioner and the allegation of demand and cruelty is false and concocted in this case and in spite of the notice, no body appears on behalf of O.P.no.2.

Heard learned A.P.P. also.

In such view of the matter, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of order be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Complaint Case No.939 of 2017 subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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