

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2330 of 2019

Arising Out of PS. Case No.-3184 Year-2012 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Amarjeet Kumar, son of Ram Briksha Sah, Resident of Village- Shembhopur
P.O. and P.S.- Sarai, District -Vaishali

... .. Petitioner

Versus

1. The State Of Bihar
2. Bibha Devi, w/o Amarjeet Kumar, Resident of village- Shembhopur,P.O.and
P.S.-Sarai, District -Vaishali, at present D/o- Arjun Sah, resident of vill and
P.O.- Rajapakar, P.S.- Rajapakar, District - Vaishali

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh
For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 22-04-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 3184C of 2012 lodged for

the offences punishable under Sections 498A, 379 of the Indian

Penal Code and Section 4 of Dowry Prohibition Act.

Allegation against the petitioner is of subjecting the

opposite party No.2 to cruelty with respect to demand of Rs.2

lacs and ousted her from his house.

Submission of learned counsel for the petitioner is

that as a matter of fact the present case has been filed after filing

a divorce case filed by the petitioner and opposite party No.2 is

not interesting to reside with the petitioner and later on decree

of divorce has been passed, which will appear from Annexure-2,



and after divorce she has married with another person, which he has stated in paragraph-8 of the petition on oath.

It appears that in this case notice was issued to opposite party No.2 and notice was returned unserved as she was not residing at the address given and thereafter notice was again issued to her through the Lawyer in the court below, who has received the notice but none has appeared on behalf of opposite party No.2.

Heard learned APP.

In such view of the matter, 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 Sub-Divisional Judicial Magistrate, Vaishali, in connection with Complaint Case No. 3184C 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 if the submission of learned counsel for the petitioner that opposite party No.2 has



married with another person is found to be false, opposite party
No.2 is given liberty to move for cancellation of the bail bonds
of the petitioner.

(Vinod Kumar Sinha, J)

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