

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5206 of 2019**

Arising Out of PS. Case No.-1701 Year-2014 Thana- GAYA COMPLAINT CASE District-
Gaya

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Vivek Kumar Son of Late Virender Prasad Residence of Village- Bavna
Sikeria

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonam Devi W/O- Vivek Kumar Residence of Village- Bavna Sikeria, P.S.-
Paras Bigha, Distt.- Jehanabad. At Present R/Village- Rani Bigha, P.S.-
Tekari, Distt.- Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj
For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-09-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 1701 (C) /2014, disclosing offences

under Sections 323, 379, 498(A) of the Indian Penal Code and

Section 3 /4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
and allegation against him is of subjecting the complainant to
cruelty and torture with respect to demand of dowry of
motorcycle.

Submission of learned counsel for the petitioner is
that entire allegation is false and concocted and he is still ready
to keep the complainant with full honour and dignity and the
real fact is that complainant herself does not want to live with



the petitioner as the petitioner has information that she has solemnized second marriage with another person.

Heard learned A.P.P. also.

In this case notice was issued to opposite party no. 2 and the service report of notice disclosed that she is not residing on the address given on complaint petition rather it was informed that she has solemnized marriage with some other person.

Having heard both sides, considering the facts and circumstances, this application is allowed. 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) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate -1st Class, Gaya, in connection with Complaint Case No. 1701 (C) /2014, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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