

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6430 of 2019

Arising Out of PS. Case No.-263c Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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KANHAIYA KUMAR, aged about 24 years(Male), Son of Lallu Sah
Resident of Village - N.A.C. Road, ward No. 11 , P.S.+District-Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Devi, aged about 23 years(Female),Wife of Kanhaiya Kumar,
Daughter of Vinod Kumar Sah, Resident of Village – Tilarath, P.S.-Barouni,
District-Begusarai

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar Agrawal
For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-02-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.263c of 2018 registered under Sections 498(A) of the
Indian Penal Code and Section 4 of Dowry Prohibition Act.

The informant, wife of the petitioner, made allegation
of demand of dowry and torture.

The learned counsel for the petitioner submits that the
petitioner earlier filed Matrimonial Suit No.72 of 2017 under
Section 9 of the Hindu Marriage Act for restitution of conjugal
rights. When the notice was served on the complainant, the
complainant filed this complaint case on 26.02.2018. The
petitioner is still ready to keep his wife.



Taking into consideration the facts aforesaid that prior to institution of this complaint case, the petitioner filed petition for restitution of conjugal rights and when the complainant got notice of the restitution proceeding, the complainant filed the present complaint case, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Begusarai in connection with Complaint Case No.263c of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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