

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9408 of 2019

Arising Out of PS. Case No.-1900 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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1. ARVIND KUMAR AND ANR Son of- Sri Brahmdeo Podhar Resident of village- Narayanpur, P.S.- Bihpur, (Bhawanipur), District- Bhagalpur
 2. Sanjana Kumari @ Sanjana Wife of Arvid Kumar Resident of village - Narayanpur, P.S.- Bihpur (Bhawanipur), District- Bhagalpur

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nitu Kumari - Bachchan W/o Bachandeo Kumar - Bachchan, D/o Surya Narayan Poddar C/o Kailash Babu - Teacher Behind Don Basco School, Station Road, Begusarai, P.O. and P.S.- Dist- Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-08-2019 Heard learned counsel for the parties.

Petitioners are apprehending their arrest in connection with Complaint Case No.1900() of 2015 , registered for offences punishable under Sections 498(A) of the Indian Penal Code and Section 4 of the Dowry Prohibition Act..

Petitioners happens to be *Bhaisur* and *Gotani* of the complainant and there is allegation of demand of dowry and ousting her from the house and there is also allegation that the husband of the complainant has illicit relation with her *Gotani* i.e. petitioner no.2 and she has been ousted from the house. In



this case twice notice was issued to the O.P.no.2 but undelivered registered cover notice has been returned with a report of the Postal Peon that she left without any proper address and the service of the notice through the Advocate has also been issued to her , which has been received by her counsel but nobody appears on behalf of O.P.no.2

Submission of the learned counsel for the petitioners is that they are *Bhaisur* and *Gotani* and the complainant has only suspicion of civilit relationship between the petitioner no.2 and her husband and due to that the false allegation of demand and cruelty has been made against the petitioners and other accused person.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai in connection with Complaint Case No.1900 (C) of 2015 subject to conditions as laid down under Section 438 (2)



of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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