

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9729 of 2019

Arising Out of PS. Case No.-7 Year-2017 Thana- MAHILA P.S. District- Nawada

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Amit Kumar, (Sex- Male, Aged about 35 years), Son of Subodh Prasad Singh,
Resident of Village- Kazi Bigha, P.S.- Nardiganj. District-Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Preeti Kumari, aged about 21 years (Female), Daughter of Lalan Singh
Resident of Village- Bhelwa, P.S.- Hisua.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Sr. Adv. Bipin Kumar, Adv
For the Opposite Party/s :		Mr. Renu Kumari

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-02-2019 Heard leaned counsel for the petitioner and learned
APP for the State.

The petitioner, being the husband of the informant, is languishing in custody since 24.12.2018 in a case registered for the offences punishable under Sections 498A, 341, 323, 313, 379, 504 and 506/34 of the Indian Penal Code and Sections 3 and 4 of Dowry Prohibition Act.

The prosecution case as per the written report of Preeti Kumari submitted to SHO, Nawada Police Station is to the effect that the informant was married with the petitioner on 20.04.2014, after the marriage for sometime, she was kept with dignity and honour. But subsequently, there was further dowry



demand of Rs.5,00,000/- and due to non-fulfillment of the same, torture was inflicted upon her by in-law's family members. It is further alleged that when she was pregnant he was being pressurized by his husband to get it aborted. On 27.10.2016, the informant was again assaulted by all the in-law's family members and after snatching all her belongings, ultimately, she was driven out of the matrimonial house.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant and petitioner is a military personnel, who was granted provisional bail by the learned Sessions Judge, Nawada vide order dated 28.07.2017 passed in B.P. No.648 of 2017, and tried to resolve the issue and took the informant to the place of his posting, but the provisional bail has been cancelled, as the issue could not be reconciled. It is further submitted that the petitioner has been making payment of Rs.7,000/- per month to the informant, which gets deducted from his salary account. A statement has been made in paragraph no. 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP for the State submits that there is specific accusation against the petitioner.

Considering the nature of accusation, period under



custody and the fact that informant is getting Rs.7000/- per month as maintenance from the salary of the petitioner, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned **SDJM, Nawada** in connection with **Nawada (Mahila) P.S. Case No.7 of 2017.**

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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