

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15109 of 2019

Arising Out of PS. Case No.-148 Year-2018 Thana- MAHILA P.S. District- Bhojpur

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AMIT KUMAR SRIVASTAVA Son of Late Chandeshwar Prasad Srivastava
Resident of Srivastava Mansion Central Park (East) Kala Jharia Road
Asansol P.S. Hirapur District East Bardhaman

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu Devi Wife of Amit Kumar Srivastava D/O Sri Jagdamlal At Present
Residing at Village - Daridih P.S. Sikrahta District Bhojpur, Ara

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Kumar
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 12-03-2019 Heard both sides.

The petitioner apprehends his arrest in Bhojpur Mahila P.S. Case No.148 of 2018 registered under Sections 498A, 379, 506 and 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

The informant is the wife of the petitioner. The informant alleged that he was married with the petitioner on 21.11.2011 and she went to her sasural but her husband and other in-laws subjected her to all sorts of torture. They even made an attempt to commit murder of the informant. On 13.08.2018, the accused persons snatched her all belongings and drove her out from the house.

The learned counsel for the petitioner submits that last occurrence which is said to have taken place on 13.08.2018 but the informant lodged the case on 06.11.2018 that too before the women police station. It is further submitted that prior to



institution of the present case, the petitioner filed Matrimonial Case No.350 of 2018 seeking divorce against his wife-the informant on the ground of cruelty and incompatibility of the wife who led conjugal life with the petitioner. The petitioner is a member of joint Hindu family but the informant-wife of the petitioner wanted to live with her husband without any other members of the family.

Taking into consideration the fact and the fact that prior to institution of this F.I.R., the petitioner filed Matrimonial Case No.350 of 2018, 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., Bhojpur, Ara in connection with Bhojpur Mahila P.S. Case No.148 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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