

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15666 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- MAHILA THANA District- Begusarai

KISHORE KUNAL, Son of Awadh Kishore Singh, Resident of Mohalla - Gachhi Tola, Power House chowk, Ward No. 30, P.S.- Town, Distt - Begusarai.

... .. Petitioner

Versus

1. The State of Bihar
2. Lata Singh @ Khushbu Singh, wife of Kishore Kunal, resident of Gachhi Tola, Power House Hcowk, Ward No. 30, P.S. Town, District Begusarai

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma
For the Opposite Party/s : Mr.Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 26-07-2019 Petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S.Case No. 01 of 2019 registered for the offences punishable under Sections 323, 341, 498A/34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband of opposite party No.2, informant, is that he along with his family members demanded of Rs.10 lacs from father of the informant and threatened her that if the demand was not fulfilled they will be solemnizing second marriage of the petitioner and thereafter after keeping all her ornaments and articles they ousted her from the matrimonial house and also gave threatening to kill her.



Submission of learned counsel for the petitioner is that due to cruel behaviour of opposite party No.2, informant a divorce case has been filed by the petitioner before Family Court and thereafter the present case has been filed. It has further been submitted that family members of opposite party No.2 used to threat the petitioner.

Heard learned APP and learned counsel for the informant. They have opposed the prayer for anticipatory bail of the petitioner stating that she is still ready to reside with the petitioner and only for filing of divorce case by the petitioner she was ousted from the house.

Having heard both sides and considering the facts and circumstances, as stated above and also considering the fact that there is strain relationship between the parties, this application is disposed of with a direction to the petitioner to surrender by 6.8.2019 and on condition that petitioner is ready to pay Rs.15,000/- per month to opposite party No.2 till any adjudication is made by the Family Court with regard to maintenance, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sub-Divisional Judicial Magistrate, Begusarai, in connection with Mahila



P.S.Case No. 01 of 2019, corresponding to G.R.No. 46 of 2019, subject to the conditions as laid down under Section 438(2) of Cr.P.C. and further condition that one of the bailors shall be a local person having sufficient immovable property within the jurisdiction of the court concerned. It is also made clear that on failure to pay the above amount for consecutive three months, opposite party No.2 shall be at liberty to move before the court below for cancellation of his bail bonds.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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