

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17719 of 2019

Arising Out of PS. Case No.-1877 Year-2016 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

=====

RAKESH TIWARY @ RAKESH KUMAR TIWARY, (Male) aged about 42 years, Son of Kapildeo Tiwary, Resident of Village - Harpur, P.S.- Simari, District - Darbhanga

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Gunjan Kumari, Wife of Rakesh Tiwary, Resident of Village - Harpur, P.S.- Simari, District - Darbhanga, At present residing at Village - Nabada, P.S.- Katra, District - Muzaffarpur

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Neeraj Kumar Alias Sanidh
For the Opposite Party/s : Mr.Rina Sinha

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 26-03-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.1877 of 2016 registered under Section 498(A) of the Indian Penal Code.

The complainant, wife of the petitioner, alleged that she was married with the petitioner in the year 2006. She went to her sasural and gave birth to a female child but her husband and others subjected her to different sorts of torture and she returns to her parent's house in the year 2012. It is further alleged that the petitioner is not ready to keep the complainant.

The learned counsel for the petitioner submits that



according to the allegations made in the complaint petition, the complainant was ousted from her in-laws house in the year 2012 but the complaint petition was filed in the year 2017 i.e. only after four years from the last date of occurrence. This fact itself shows the falsity of the allegation alleged in the complaint petition. It is further submitted that petitioner is ready to keep his wife but the wife is not willing to live with the petitioner.

Considering the aforesaid facts, 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 A.C.J.M. 14th at Muzaffarpur in connection with Complaint Case No.1877 of 2016(Trial No.941/2018), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

Saurabh/-

U		T	
---	--	---	--

