

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30547 of 2019

Arising Out of PS. Case No.-2641 Year-2015 Thana- WEST CHAMPARAN COMPLAINT
District- West Champaran

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SUKAT PATEL S/o Uma Patel R/o Village- Kadmahiya, P.S.- Valmiki Nagar,
District- West Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sunita Devi W/o Sukat Patel, D/o Kapildev Patel Present R/o village-
Guruwaliya, Shivalay, P.S.- Manuapur (Bettiah), District- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr.Raj Kishore Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-09-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 2641/2015, disclosing offences under
Sections 498A of the Indian Penal Code.

Petitioner happens to be husband of the complainant and
allegation against him is of subjecting the complainant to torture and
cruelty with respect to demand of dowry.

Submission of learned counsel for the petitioner is that
entire allegation is false and concocted and he is still ready to keep
her with full honour and dignity, which will appear from the fact that
he has also filed a petition under Section 9 of the Hindu Marriage Act
for restitution of conjugal rights but opposite party no. 2 is not
appearing in that case.

Heard learned A.P.P. also as well as learned counsel for



the complainant. Learned counsel for the complainant has submitted that he has instruction that petitioner has solemnized his second marriage with another lady

Having heard the parties considering the fact that petitioner is ready to keep the complainant and he has also filed a case for restitution of conjugal rights, as such, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bettiah, West Champaran, in connection with Complaint Case No. 2641/2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Opposite party no. 2 is always at liberty to appear in the case filed by the petitioner under Section 9 of the Hindu Marriage Act for restitution of conjugal rights and make such submission that petitioner has solemnized second marriage with another lady and, thereafter, the concerned court below shall pass appropriate order.

(Vinod Kumar Sinha, J)

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