

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20978 of 2019

Arising Out of PS. Case No.-148 Year-2018 Thana- MANER District- Patna

VIVEK KUMAR @ SINTU Son of Mohan Giri Resident of Village -
Ramadhar Nagar (Behind maner Police Station), P.s. - Maner , Distt.- Patna.
... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Arti Devi Wife of Vivek Kumar @ Sintu, Daughter of Late Bhuletan Chaudhary Resident of Village - Gandhighat, Sarai Mohalla, P.s.- Maner, Distt.- Patna.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunit Kumar Srivastava
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 28-06-2019 This application, for grant of anticipatory bail, arises out of Maner P.S. Case No. 148 of 2018, disclosing offences under Sections 341, 323, 376, 498(A), 504, 506 and 509 of the Indian Penal Code.

Prosecution story is that the informant is a widow having three children and petitioner is alleged to have married with her before the Sub-Registrar on 29.06.2016 and established physical relationship with her but, thereafter, she was subjected to cruelty and torture and petitioner deserted her.

Learned counsel for the petitioner denies the factum of marriage and there is no marriage between the petitioner and the opposite party no. 2, which will appear from the statement of the witnesses during course of investigation. However, the petitioner is ready to pay the maintenance till the validity of marriage is decided.



Heard learned A.P.P. also as well as learned counsel for the complainant. Learned counsel for the complainant has produced the certificate issued by the Sub – Registrar, Danapur, Patna, showing the marriage between the petitioner and the opposite party no. 2. is not ready to take the expenses from the petitioner.

Having heard both sides, considering the facts and circumstances of the case. 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 Judicial Magistrate -1st Class, Danapur, Patna, in connection with Maner P.S. Case No. 148 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is further subject to the condition that petitioner will cooperate in disposal of trial, otherwise, the prosecution shall move for cancellation of his bail bonds.

(Vinod Kumar Sinha, J)

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