

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1625 of 2019

Arising Out of PS. Case No.-565 Year-2017 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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Abhishek Kumar Singh son of Vibhuti Singh, Village-Sakri, p.s- Kudra, Dist-
Kaimur

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Kumari Arti W/o Abhishek Kumar singh, Village- Sakri, P.S- Kudra, dist-
Kaimur. at present residing at Mohalla- Fazalgang, P.S- Sasaram (Model) ,
Dist- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kamlesh Kishore
For the Opposite Party/s : Mr.Sri Parmanand Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 07-03-2019 This is an application for grant of anticipatory bail in

connection with Complaint Case No. 565 of 2017, disclosing

offences under Sections 498A of the Indian Penal Code and

Section 4 of the Dowry Prohibition Act.

Allegation against the petitioner is of subjecting his

wife-opposite party no.2 with cruelty and harassment with respect

to demand of Rs.2,50,000/-.

Submission of learned counsel for the petitioner is that

the complainant/opposite party no.2 has illicit relation with other

person and for that the petitioner has filed a divorce case being

Matrimonial Case No.202 of 2017.

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

opposite party no.2, who opposed the prayer for anticipatory bail



of the petitioner on the ground that the divorce case has been filed after filing of the complaint petition and the petitioner is not paying any maintenance to the opposite party no.2.

Having heard both sides, in view of the facts and circumstances of the case, this application is disposed of with a direction to the petitioner to surrender before the court below within a period of six weeks and on surrender 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 learned Sub Divisional Judicial Magistrate, Rohtas at Sasaram, in connection with Complaint Case No. 565 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that if any order passed on maintenance in this case of interim maintenance or final maintenance, the petitioner has to pay the same to the opposite party no.2, otherwise the complainant/opposite party no.2 will be at liberty to move for cancellation of the bail bonds of the petitioner before the learned court below itself.

(Vinod Kumar Sinha, J)

Amjad/-

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