

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25020 of 2019

Arising Out of PS. Case No.-222 Year-2018 Thana- MADHUBANI COMPLAINT CASE
District- Madhubani

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1. VARUN KUMAR JHA Son of Satya Narayan Jha Resident of Village-Kaithiniya, P.S-Lakhnour, District-Madhubani.
 2. Satya Narayan Jha Son of Late Mahendra Jha Resident of Village-Kaithiniya, P.S-Lakhnour, District-Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Kumari D/o Manoj Kumar Thakur, Resident of Village-Mehat, P.S-Bhairabasthan, District-Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 04-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of C. R. No. 222 of 2018, in which cognizance has been taken under Sections 341, 323, 504 and 406 of the Indian Penal Code.

The petitioner no. 1 is the husband of Opposite Party No. 2 and petitioner no. 2 is the father-in-law of Opposite Party No. 2.

Learned Counsel for the petitioners submits that the petitioner no. 1 was married to the Opposite Party No. 2 on



22.04.2016 and soon after their marriage, there was incompatibility between the parties and a joint application for divorce was filed before the Court of learned Principal Judge, family Court, Madhubani, being Matrimonial Case No. 138 of 2016. He further submits that Opposite Party No. 2 thereafter lodged Lakhnaur Police Station Case No. 36 of 2017 against the petitioners and other family members on 08.03.2017, alleging torture, mentally as well as physically to the Opposite Party No. 2 by the petitioners and others for demand of dowry. He further submits that police, after investigation, submitted final form (Annexure-3), not sending the petitioners for trial. He further submits that thereafter Opposite Party No. 2 filed the present protest -cum- complaint case.

After having heard learned Counsel for the parties and taking into consideration the fact that there was marriage discord between the parties and the police, after investigation, submitted final form, not sending the petitioners for trial, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Jhanjharpur, Madhubani, in connection with C.R. No. 222 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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