

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25045 of 2019

Arising Out of PS. Case No.-1792 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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KRISHNA MURARI SINGH S/o Naval Kishor Singh R/o village- Phakuli,
P.S.- Chapra Muffasil, District- Saran at Chapra

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Priyanka Devi W/o Krishna Murari Singh @ Kanhaiya Singh, D/o Awdhesh Singh R/o village- Daulatganj, P.S.- Bhagwan Bazar, District- Saran at Chapra

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar
For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 02-08-2019 The petitioner apprehends his arrest in connection with Complaint Case No. 1792 of 2017 registered under Sections 323,379, and 498A/34 of the Indian Penal Code and sections 3 and 4 of the Dowry Prohibition Act.

Allegation against the petitioner, as per complaint, is that marriage of the complainant was solemnised with complainant on 21.11.2016 and after sometime, petitioner along with other family members started demanding one bullet motorcycle, two Bighas land and 1,50,000/- cash as dowry from the complainant and her family members. It has further been alleged that due to non-fulfillment of that demand, petitioner along with others tortured the complainant and tried to kill her by sprinkling oil



on her body and ousted her from matrimonial home.

Learned counsel appearing on behalf of the petitioner submits that petitioner is quite innocent. He further submits that complainant is an intemperate lady and there is a problem of incompatibility in between the petitioner and the complainant. Learned counsel further submits that petitioner has filed a divorce case bearing case No. 64 of 2017 before the court of Principal Judge, Family Court, Chapra and after divorce case, present complaint case has been lodged by the complainant against the petitioner.

It appears that notice was issued to the complainant/O.P. No. 2, but despite service of notice, O.P.No. 2 did not appear in this Court.

After having heard learned counsel for the petitioner and learned counsel appearing on behalf of the State and taking into consideration the fact that allegation levelled against the petitioner is general and omnibus in nature and that the petitioner has filed a divorce case prior to lodging of the complaint, as such I am inclined to grant anticipatory bail to the petitioner.

Let the petitioner, above-named, in the event of arrest or surrender before the court below within a period of four weeks



from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned SDJM, Saran at Chapra in connection with Complaint Case No. 1792 of 2017; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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