

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26656 of 2019

Arising Out of PS. Case No.-15 Year-2018 Thana- MAHILA P.S. District- Muzaffarpur

Manoj Kumar Singh, Son of Ram Kishore Singh, at present resident of Village - Pokhariya Peer, Atardah, P.S.- Sadar, District- Muzaffarpur. Permanent Address- Resident of Godhiya Chaman, P.S.- Bhagalpur, District – Vaishali. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party.

Appearance :

For the Petitioner/s : Mr. Zeyaul Hoda

For the Opposite Party/s : Mr. Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 30-04-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 313, 323, 494, 498-A and 506/34 of the Indian Penal Code.

Petitioner happens to be husband of the informant. He allegedly tormented the informant over the dowry demand. He took the informant at his working place at Madhya Pradesh where he sought her permission to remarry with another lady but on refusal he brought her to Muzaffarpur and dropped at the bus stand.

Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. The petitioner has neither made any dowry demand nor tormented



the informant over the said demand. As a matter of fact, the petitioner deserted the informant and had filed a divorce case in the Court of Principal Judge, Family Court, Vaishali at Hajipur and in retaliation thereto the informant has filed the present case against the petitioner. Earlier the informant has also lodged a case against the petitioner under Section 498-A of the IPC in Madhya Pradesh and she was in habit of lodging the case against him. Moreover, during pendency of the case, the informant has passed away and the petitioner took part in her last rites. The impugned order itself indicates that the petitioner has filed photographs indicating his presence in the last rites.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Judge-I-cum-A.C.J.M.-I, Muzaffarpur in connection with Mahila P.S. Case No. 15 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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