

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30000 of 2019

Arising Out of PS. Case No.-625 Year-2017 Thana- PATNA COMPLAINT CASE District-
Patna

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SAURABH KUMAR Son of Ramchandra yadav Resident of Village - Gulab Bag , P.S.- Barh, Dist.- Patna., as per Complaint Petition resident of C.I.S.F., Jawan Camp Batalian No.37, Katak, Orisha.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Sunita Devi @ Sunaina Devi Wife of Saurabh Kumar and D/o Late Bhola Yadav Resident of Village - Kazichak, ward No.24, P.S.- Barh, Dist.- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Biresh Kumar Sinha
For the Opposite Party/s : Mr.Binod Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

03 19-12-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Complaint Case No.625 of 2017, registered for offences punishable under Sections 323, 498A of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Case is under Section 498A of the IPC with allegation of demand and torture and subjecting her to cruelty.

Submission of the learned counsel for the petitioner is that the case has been filed after six years of the marriage when he got a job in the CISF and started residing at Assam. It is further submitted that the complainant has illicit relationship



with another person and in order to harass the petitioner, the present case has been filed.

In this case earlier notice was issued to the O.P.no.2 i.e. complainant and also to another person with whom according to the petitioner she has illicit relationship, notice was served on the O.P.no.2 but in spite of that she has not appeared in this case.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Barh in connection with Complaint Case No.625 of 2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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