

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29348 of 2019**

Arising Out of PS. Case No.-1729 Year-2015 Thana- SIWAN COMPLAINT CASE District-
Siwan

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JAWAHAR LAL Son of Late Ram Govind Resident of - 32, Yashoda Nagar,
Supari Wali Gali, P.S.- Gopalnagar, Distt - Kanpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sharda Devi Wife of Jawahar Lal, D/o Late Gorakh Kurmi Resident of Village - Guthani, P.S.- Guthani, Distt - Siwan.
3. Ran Naresh Patel Son of Late Prem Sagar Patel Resident of Village - Kundoli, P.S.- Lar, Distt - Deoria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Bijay Prakash Singh
For the Opposite Party/s	:	Mr.Ram Priya Sharan Singh
For the Informant	:	Mr. Ashok Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 23-07-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Complaint Case No.1729/2015 , registered for offences punishable under Sections 498(A) , 323, 504 of the Indian Penal Code.

As per the complaint petition lodged by the wife of the petitioner that petitioner was earlier married and his wife died but by suppressing the above, he solemnized marriage with the complainant and also misbehaved and abused her.

Submission of the learned counsel for the petitioner is that the marriage with complainant was solemnized in the



year, 1992 and after almost 22 years, the present case has been filed due to dispute of distribution of retiral benefits which petitioner received after retirement. It is also submitted that the petitioner has also given Rs.3-4 lac to the complainant and also constructed her house at Kanpur.

Heard learned A.P.P. and the learned counsel for the O.P.no.2. They have opposed the prayer for bail on the ground that by playing fraud marriage has been solemnized and she was subjected to various types of cruelty and torture. Learned counsel for Opposite Party No.2 also denied that she had been paid Rs.3-4 lakhs after retirement of petitioner or house was constructed at Kanpur.

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 J.M. Ist Class, Siwan in connection with Complaint Case No.1729 of 2015, 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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