

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32344 of 2019

Arising Out of PS. Case No.-30 Year-2018 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

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Rajan Kumar Saxena @ Satish Kumar, aged about 38 years, Male, Son of -
Rajendra Prasad, Resident of Village- Gopalpur, P.O.- Nadaul, P.S.- Masaurhi,
District- Patna.

... .. Petitioner

Versus

1. The State of Bihar.
2. Smt. Rupa Kumari, Wife of Rajan Kumar Saxena @ Satish Kumar,
Daughter of Satish Chandra, Resident of Village- Kochhasa, P.O.- Kochhasa,
P.S.- Kingar, District- Arwal.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Dr. Shraddhanand Paswan, Adv.
For the Opposite Parties : Mr. Awadhesh Kumar Singh, Adv.

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner, learned

Additional Public Prosecutor for the State as well as learned

counsel appearing for opposite party no. 2.

Petitioner happens to be husband of opposite party no.
2 and has been made accused for the offences punishable under
Sections 498(A) and 3/4 of the Dowry Prohibition Act but
submission on behalf of petitioner is that the compliant case was
filed in the year 2018 whereas much prior to filing of the
complaint case, petitioner has filed divorce suit bearing
Matrimonial Case No. 782 of 2016 against the opposite party
no. 2 and after filing of the aforesaid divorce suit, the opposite



party no. 2 brought the complaint case in retaliation.

On the other hand, learned counsel appearing for opposite party no. 2 submits that opposite party no. 2 remained at her matrimonial home only for eight days and thereafter, she was forcibly ousted by petitioner as well as his family members and moreover opposite party no. 2 still wants to lead her conjugal life with the petitioner.

Considering the facts and circumstances of the case as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that the petitioner, above named, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall 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, Arwal in connection with Complaint Case No. 30 of 2018, subject to conditions as laid down under Section 438(2) of the CrPC.

(Hemant Kumar Srivastava, J)

Rajeev Kumar
Ranjeet/-

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