

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35250 of 2019

Arising Out of PS. Case No.-411 Year-2013 Thana- NALANDA COMPLAINT CASE
District- Nalanda

Umesh Pandit

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Sujata Sinha
For the Opposite Party/s : Mr. Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 03-06-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 411 (c)/2013, registered for offences punishable under Sections 498 A, 323/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The allegation in the Complaint petition is that the marriage between the petitioner and complainant was solemnized on 25. 4.2001 but soon thereafter, physical and mental torture of the complainant started with demand of Rs. 55,000/- as dowry. It is ultimately alleged that the accused persons assaulted her and finally ousted her from the in-laws' house.

It is submitted by learned counsel for the petitioner that the allegations made in the Complaint petition are false and concocted and the petitioner had filed Divorce case in the



Court of Principal Judge, Family Court, Biharsarif, which was registered as Divorce Case No.128 of 2013. The same has been allowed by order dated 29.07.2016. It is further stated that the complainant has entered into a second marriage with one Kundan Pandit, details of which has been mentioned in paragraph-7 of the petition.

Having heard learned counsel for the petitioner and learned A.P.P. for the State and taking into consideration that the marriage between the petitioner and the complainant has ended in divorce and also that the complainant has entered into the second marriage and has settled down with her new family, let the petitioner, Umesh Pandit, in the event of his arrest or surrender in the Court below within a period of six weeks from today in connection with Complaint Case No. 411 (c) of 2013, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Biharsharif, Naland, Purnea, subject to the conditions as laid down under Section 438 (2) of Cr.P.C.

(Partha Sarthy, J)

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