

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34348 of 2019

Arising Out of PS. Case No.-1007 Year-2018 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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MANOJ KUMAR Son of Shankar Mahto Resident of Village - Nityanand Chowk, Pachmahala Tola Panchayat - 3/Ward - 6, Manjhaul, P.S.- Cheriabariyarpur, Distt - Begusarai.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rina Kumar Wife of Manoj Kumar, D/o Rajaram Mahto Resident of - Sikandarpur, Ward No. 7, P.S.- Muffasil, Distt - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Deepak Kumar
For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

7 15-11-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner who happens to be husband of the complainant is said to have tormented her over dowry demand and finally drove her out of her marital house snatching her belongings in association of his family members.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been



falsely implicated in the case. He neither made any dowry demand nor ever tormented the complainant nor drove her out of her marital house over said demand. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted by learned counsel for the petitioner that petitioner is ready to keep the complainant with him with full honour and dignity and will not subject her to any sort of torture over any demand.

Learned counsel for the opposite party no.2 (complainant) submitted that the complainant is also ready to live with the petitioner provided petitioner does not torment her and keeps her with all sorts of comfort and dignity.

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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Begusarai in connection with Complaint Case No. 1007C of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

Petitioner is directed to take the complainant with him



from the learned lower court within ten days of his surrender in the court below and to keep the complainant with him with full honour and dignity as per the undertaking given by him before the Court and learned lower court is directed to keep both the parties under watch for one year and in case of finding laches on the part of the petitioner, the learned lower court shall be at liberty to cancel the bail bond of the petitioner.

(Prakash Chandra Jaiswal, J)

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