

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34880 of 2019

Arising Out of PS. Case No.-525 Year-2018 Thana- KESARIA District- East Champaran

Vikash Kumar @ Vikash Kumar, aged about 30 years, male, Son of Babulal Singh, Resident of Village - Lakari Parauli, P.S.- Nabiganj, Dist.- Siwan

... .. Petitioner

Versus

1. The State of Bihar
2. Kumari Arita @ Sapna Kumari, D/o Kaushal Kishore Singh, Resident of Village - Tajpur Patkhauliya, P.S.- Kesariya, Dist.- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Umesh Chandra Verma-Advocate
For the State	:	Mr. Ram Anurag Singh-A.P.P.
For the Opposite Parties:		Md. Anisur Rahman-Advocate
		Md. Akram Naiyar-Advocate

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner as well as learned counsel for the State and learned counsel for the respondent no.2.

2. It has been submitted by the learned counsel for the petitioner that the petitioner has neither demanded dowry, nor he did he subject the informant to cruelty in any manner whatsoever, but as it appears, due to matrimonial discord on account of family feud of daily life, and also due to frequent interference by the members of her parents' family, the situation worsened leading to filing of the present case. He has submitted that the petitioner has never administered medicine to her causing miscarriage and there is no medical report to



substantiate the allegation of miscarriage. Furthermore, the case was also not registered under Section 313 of the Indian Penal Code and the same has been super added with a view to make the allegation graver. He has contended that he undertakes to keep his wife with full dignity in her matrimonial home, but for one reason or another, she herself is not willing to live in her matrimonial home.

3. Per contra, learned counsel for the informant vehemently opposed the application for grant of pre-arrest bail of the petitioner. He has submitted that in view of the seriousness of the allegations, the petitioner does not deserve grant of pre-arrest bail. He has further contended that the informant was being subjected to cruelty in various ways and if the petitioner would be granted pre-arrest bail, there would be no chance of any amicable settlement in future.

4. Regard being had to the nature of allegations and also the submissions made above, the petitioner is directed to be released on bail, in the event of his arrest or surrender within four 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 3rd Additional Chief Judicial Magistrate, Motihari, East Champaran in connection with



Kesariya P. S. Case No.525 of 2018.

(Ashwani Kumar Singh, J)

Vikash/-

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