

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36021 of 2019

Arising Out of PS. Case No.-795 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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ALOK KUMAR Son of Ashok Ram Resident of Mohalla - Sri Ram Path,
West Patel Nagar, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kanchan Sheetal Wife of Alok Kumar, D/O- Late Binod Kumar Resident of
Mohalla - Sri Ram Path, West Patel Nagar, P.S.- Shastri Nagar, District-
Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra
For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-09-2019 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 795 (C) / 2018, disclosing offences under
Section 498A of the Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

Petitioner happens to be husband of the complainant and
allegation against him is of subjecting the complainant to torture with
respect to demand of dowry.

Submission of learned counsel for the petitioner is that
entire allegation is false and concocted and as a matter of fact sister
of petitioner is married with the brother of complainant and,
therefore, there is no question of demand of dowry arise and due to
ill behaviour of the complainant, the petitioner has lodged a
matrimonial case before Family Court, Patna for divorce and after



one year, the present case has been lodged. Further submission is that his a Probationary Officer in a bank and there is no chance of his absconding.

Heard learned A.P.P. also.

It appears that the notice issued to opposite party no. 2 has validly been served upon her and a Vakalatnama has also been filed on her behalf but nobody appeared on behalf of the complainant on last occasion as well as today. It further appears that before the learned Sessions Judge also effort for reconciliation was made but that failed.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisinoal Judicial Magistrate, Patna, in connection with Complaint Case No. 795 (C) / 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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