

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36892 of 2019

Arising Out of PS. Case No.-386 Year-2016 Thana- COMPLAINT CASE District- Araria

JAI PRAKASH SAH S/o Munar Sah R/o Village- Parsahi, P.S.- Triveniganj,
Distt.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Babita Devi W/o Jai Prakash Sah, D/o Parmeshwari Sah R/o village-
Shekhpura, P.S.- Bhargama, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 25-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. 386C of 2016, registered for the offences punishable under Section 498A, of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

An application has been filed by the counsel for the petitioner that in this case notice issued to O.P. No.2 has been received by the father of O.P. No.2 and as per complaint petition she resides in her Maik.

Heard in view of the above service of notice accepted as valid.

This case is under Section 498A of the I.P.C. with an allegation of demand of dowry and subjecting the complainant



to cruelty and torture.

Submission of learned counsel for the petitioner is that the whole allegation is false and concocted and he is still ready to keep her with full dignity and care. He has also filed a petition Under Section 9 of Hindu Marriage Act and in that application O.P. No. 2 has also appeared and participated thereafter the same has been decided in favour of the petitioner and petitioner has taken plea that he is ready to keep the complainant whereas O.P. No. 2 is not ready to reside with the petitioner.

Despite issuance of notice none has appeared on behalf of the O.P. No.2.

In view of the above facts, this application is allowed and provisional bail granted to the petitioner vide order dated 17.06.2019 is confirmed.

(Vinod Kumar Sinha, J)

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