

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78142 of 2018

Arising Out of PS. Case No.-1093 Year-2017 Thana- COMPLAINT CASE District- Araria

Sikender Yadav @ Sikandar Yadav S/o Bechan Yadav, R/o Vill.- Bishanpur,
Ward No. 6 , P.S.- Jogbani, District- Araria.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Bimla Devi W/o Sikendar Yadav, D/o Ramanand Yadav, R/o Vill.- Bishanpur,
Ward No. 6, P.S.- Jogbani, District- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramesh Kumar Singh, Adv.
For the Opposite Party/s	:	Mr.Sri Zainul Abedin, APP
for the Informant	:	Mr. Suman Kumar Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 14-02-2019 This application, for grant of anticipatory bail, arises out of Complaint Case No. 1093C of 2017, disclosing offences under Sections 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 cruelty and torture to the complainant in connection with demand of dowry.

Submission of learned counsel for the petitioners is that he has falsely been implicated in this case and in fact he is not the husband of the complainant rather the marriage of complainant was solemnized with the elder brother of the petitioner. Further submission is that even according to the



complainant marriage was solemnized fifteen years ago.

Heard learned A.P.P. as well as learned counsel for the Informant. They have opposed the prayer for bail. Learned counsel for the informant has submitted that the Aadhar Card clearly shows that complainant is the wife of petitioner, though he has falsely stated in the petition that complainant is not the wife of petitioner. Further submission is that petitioner is not maintaining her and is not paying even a single penny, though, she has filed the maintenance case, in which, petitioner has appeared.

Having heard both sides, considering the submission, as above, 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 Additional Chief Judicial Magistrate -I, Araria, in connection with Complaint Case No. 1093C of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure. This is further subject to the condition that the petitioner will cooperate in disposal of maintenance case and appear on each and every date, failing which, the complainant



will be at liberty to move for cancellation of his bail bonds
before the concerned court below itself.

(Vinod Kumar Sinha, J)

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