

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41530 of 2019

Arising Out of PS. Case No.-205 Year-2018 Thana- PIRPAINTI District- Bhagalpur

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1. Akhilesh Das Son of Naresh Das, Resident of Village - Khanpur, P.S.- Pirpainti, Dist.- Bhagalpur.
 2. Sangita Devi Wife of Sunil Das, Resident of Village - Laxmipur, P.S.- Pirpainti, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Laxmi Devi Wife of Akhilesh Das, Resident of Village - Khanpur, P.S.- Pirpainti, Dist.- Bhagalpur. at Present Resides at Village - Ambey, P.S.- Nathnagar, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Gupta
For the Opposite Party/s : Mr.Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 05-07-2019 Heard both sides.

Petitioners apprehend their arrest in Pirpainti P.S.

Case No.205 of 2018 registered under Sections 498(A), 494 and
34 of the Indian Penal Code and under Sections 3/4 of the Dowry
Prohibition Act.

The informant (first wife of petitioner no.1) alleged
that her husband solemnized second marriage but her husband
and his family members drove her out from the house.

The learned counsel for the petitioners submits that
the informant made false allegation against the petitioners.
Petitioner no.1 and his family members never tortured the
informant for dowry, but it appears that petitioner no.1



solemnized second marriage and there is specific allegation that the informant was ousted from her in-laws' house.

Having considered the facts aforesaid and the fact that petitioner no.1 (Akhilesh Das) solemnized second marriage, I am not inclined to enlarge petitioner no.1 on anticipatory bail. Accordingly, the same is rejected.

So far the case of petitioner no.2 (Sangita Devi) is concerned, she is second wife of petitioner no.1. The informant did not make any specific allegation against the second wife (petitioner no.2).

Having considered the facts aforesaid, the above named petitioner no.2 (Sangita Devi), in the event of her arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XI, Bhagalpur in connection with Pirpainti P.S. Case No.205 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

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(Prabhat Kumar Jha, J)

