

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43978 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- MAHILA P.S. District- Purnia

Jai Krishna Sah, Son of Sri Murlidhar Sah, Resident of Village - Kajha
Baniyapatti, P.S.- K.Nagar, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Suman Kumari, D/o- Sri Bhajju Sah, Resident of Village - Damaili, Bandh
Tola, P.S.- Mirganj, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand

For the Opposite Party/s : Mr.Navin Kumar Pandey

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 18-07-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Mahila P.S. Case No. 19 of 2019 registered under Section 498(A) of
the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torturing the informant-opposite
party no. 2 by her husband and in-laws due to non-fulfillment of
demand of dowry and removing from her matrimonial house.

Learned counsel for the petitioner submits that, in fact,
marriage of the petitioner was not performed with the informant and
earlier the informant had filed a Complaint Case No. 1005 of 2017 in
the court of Chief Judicial Magistrate, Purnea, which was dismissed
under Section 203 of the Cr.P.C. on 07.05.2018. Thereafter,



informant filed again Complaint Case No. 1157 of 2018, which is still pending in the court of Chief Judicial Magistrate, Purnea and again on same facts, informant-opposite party no. 2 has lodged the present case with false allegation.

Ont the other hand, learned counsel for the informant-opposite party no. 2 submits that the marriage of the informant was performed with this petitioner and regarding which, Mukhiya and Surpanch has issued the certificate on 30.06.2019.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six 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 S.D.J.M, Purnea, in connection with Mahila P.S. Case No. 19 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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