

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42299 of 2019

Arising Out of PS. Case No.-2303 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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VISHAL KUMAR Son of Raghunath Prasad Resident of Village - Banjariya
Sahu Tola, P.S.- Banjariya, Distt - East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pooja Devi D/o Umesh Prasad Resident of Village - Jaanpul Chauk Arya
Nagar, Ward No. 24, P.S.- Motihari, Distt - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-11-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Trial No.2249 of 2018 arising out of Complaint Case No.C 2303 of 2017 registered for offences punishable under Sections 498A of the Indian Penal Code and Section 3/4 of the D.P.Act.

As per FIR, petitioner happens to be husband of the complainant and there is allegation of demand of dowry and subjecting her to cruelty.

Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care and the allegations are false and concocted.

On the other hand the learned counsel for the O.P.no.2 has



submitted that as the petitioner has solemnized marriage with another lady as such she is not ready to reside with the petitioner, however, it appears from the record that the processes have been issued under Section 498A of the IPC as well as Section 3/4 of the Dowry Prohibition Act.

Heard learned A.P.P. also.

Having heard both sides and let the provisional bail granted to the petitioner vide order dated 10.7.2019 is confirmed.

Accordingly, this application is allowed.

(Vinod Kumar Sinha, J)

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