

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52494 of 2018**

Arising Out of PS. Case No.-1715 Year-2016 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Dilip Rai, S/o Sri Ramesh Rai Resident of Village Mahua Singhrail, P.S. - Mahua and District - Vaishali.

... .. Petitioner

Versus

1. The State Of Bihar,
2. Khusboo Devi W/o Dilip Rai r/o village Mahua Singhrail, P.S. Mahua, Dist - Vaishali and at present d/o Dhanai Rai, Village - Daudnagar, P.S. - Bidupur, Dist - Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Surendra Prasad Singh
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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

ORAL ORDER

9 29-04-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 1715 (C) of 2016, registered under Section 498(A), 323, 406 and 494 of the Indian Penal Code.

The accusation is that marriage of the complainant/O.P. No.2 was performed with the petitioner according to Hindu custom on 02.05.2014 and in gift, household articles, clothes and cash of Rs. 1,50,000/- for Barat expenses were given to father of the petitioner. After the marriage, complainant/O.P. No.2 went to her matrimonial



house, where she was kept properly for some days, but thereafter, demands of Rs. Two Lakhs and one motorcycle was made then she showed inability of her parents to fulfill the demand. Later on, father and uncle of the complainant/O.P. No.2 came at her matrimonial house and tried to solve the dispute, but her in-laws adamant on demand and lastly petitioner performed his re-marriage with another girl.

Learned counsel for the petitioner submits that, in fact, parents of the complainant/O.P. No.2 wanted to perform the marriage with this petitioner, but the parents of the petitioner was not ready due to that reason, the present case has been lodged only to put undue pressure. Further submission is that while the marriage of the complainant is said to be performed with the petitioner on 02.05.2014, but it would appear from counter affidavit filed on behalf of complainant-O.P. No.2 that in Aadhaar card of complainant/O.P. No.2, which is prepared on 08.10.2016 the name of her father is detailed which clearly indicates that till 08.10.2016, she was unmarried.

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 four 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 S.D.J.M. Vaishali in connection with Complaint Case No. 1715 (C) of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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