

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44998 of 2019

Arising Out of PS. Case No.-327 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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AMITABH KUMAR @ AMITABH GUPTA Son of Devendra Kumar
Resident of Mohalla- Dargah Road, Sanskar Sadan, Arya Samaj Road, P.S.-
Hilsa, District- Nalanda..... Petitioner/s

Versus

The State of Bihar..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pravin Kumar Gupta
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 22-10-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 327 of 2018, registered for

the offences punishable under Sections 498A of the Indian Penal

Code and Section 4 of D.P. Act.

As per complaint petition there is allegation against
the petitioner of subjecting her to cruelty for demand of dowry.

Submission of the learned counsel for the petitioner
is that already a divorce decree has been passed in favour of the
petitioner by the Family Court, Jamui in Matrimonial case No.
97 of 95 of 2017 and vide judgment dated 08.03.2019 and after
filing of the divorce case, the present case has been filed.

Learned A.P.P. as well as counsel appearing on behalf
of the O.P. No. 2 has opposed the prayer of bail stating that
complainant has no knowledge about the same and even no
maintenance order has been passed in favour of the



complainant.

Having heard both sides, considering the above submission, this application 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 Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M.. Patna City in connection with Complaint Case No. 327 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned with further condition that if maintenance case is being filed by the complainant (O.P. No. 2), on personal service petitioner has to appear before the Court and shall co-operate in disposal of the maintenance case and will abide by any order pass by the Family Court either final or interim unless the same is modified or set aside by any higher Court.

(Vinod Kumar Sinha, J)

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