

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63816 of 2018

Arising Out of PS. Case No.-70 Year-2018 Thana- BHAGWANPUR District- Vaishali

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Animesh Kumar Son of Sadhu Sharan Singh, Resident of Village- Rajapur
Mainpura Bhavan Toli, P.S. Patliputra, District- Patna.

... .. Petitioner

Versus

1. The State Of Bihar,
2. Dilip Kumar, Son of Late Surendra Pandey, Resident of Village- Partap Tarh,
P.S.- Bhagwanpur, District- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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

ORAL ORDER

3 23-04-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Bhagwanpur P.S. Case no. 70 of 2018, registered under
Sections 498A, 504, 506, 379/34 of the Indian Penal Code and
Section 3 / 4 of Dowry Prohibition Act.

The accusation is that the marriage of sister of the
informant was performed with this petitioner on 20.05.2013
and before performing the marriage, cash of Rs. 12 Lakhs and
ornament worth of Rs. 2 lakhs and other household articles
were also provided, but at the time of Bidai demand of Scorpio
vehicle was made, but, anyhow, the matter was pacified and his



sister was sent in Bidai, but thereafter, she was tortured through different modes and, ultimately, on 26.05.2013, sister of the informant was taken in Bidai in her parental house. On arrangement of Panchayati, the petitioner took the sister of the informant on 10.12.2014, but she was, again, tortured for non-fulfillment of demand of dowry giving threatening that if the demand will not fulfill the husband of sister of the informant will perform remarriage. Thereafter, the petitioner, husband of the sister of the informant settled his remarriage and the date for remarriage was fixed on 05.05.2018.

Learned counsel for the petitioner submits that, admittedly, the petitioner is the husband of the sister of the informant, but due to leading adultery life by the sister of the informant, petitioner filed Divorce Case No. 226 of 2017 in the Court of Principal Judge, Family Court, Patna and in retaliation the informant filed this case on 29.04.2018 after more than a year.

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 A.C.J.M.-III, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 70 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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