

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45108 of 2019

Arising Out of PS. Case No.-107 Year-2018 Thana- MAHILA P.S. District- Araria

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Sintu Kumar Yadav, Son of Bhupendra Yadav, Resident of Village -
Raghunathpur South, P.S.- Bhargama, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nilu Kumari, Daughter of Kunnu Lal Yadav, Resident of Village -
Raghunathpur South Ward no. 03, P.S.- Bhargama, District - Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Amitesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-10-2019 This is an application for grant of anticipatory bail in connection with Araria Mahila P. S. Case No. 107 of 2018, disclosing offences under Sections 498A, 34 of IPC and Section 3/4 of Dowry Prohibition Act.

As per F.I.R. the petitioner is married with the informant and later on, he has demanded Rs.2,00,000/-, due to non-fulfillment of the same, ousted her from the house. Further allegation is that he has remarried with another lady.

Submission of the learned counsel for the petitioner is that no marriage was solemnized between the parties and allegation of remarriage with another lady is false and concocted. Further submission is that there is no document with respect to the marriage except that there is a statement of



‘Sarpanch’ stating that marriage was solemnized between the parties in front of them.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2 also, who has opposed the prayer for anticipatory bail on the ground that as there was a love affair between the parties. The marriage was solemnized in front of the villagers and a certificate to that effect has also been issued by the Sarpanch, whereas the petitioner has challenged the same on the ground that no marriage was performed as per Hindu Rites and Customs.

Having heard both sides, considering the above submission, this application is 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 Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Sub- Divisional Judicial Magistrate, Araria, in connection with Araria Mahila P. S. Case No. 107 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

Sunil Shukla/-

(Vinod Kumar Sinha, J)

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