

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45573 of 2019

Arising Out of PS. Case No.-356 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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ABHISHEK ANAND Son of Kashinath Modi Resident of Mohalla -
Bageshwar Enclave, Flat No. 303, Chitragupta Colony, Solanki Hatia, P.S.-
Jagarnathpur, District - Ranchi (Jharkhand),
At present Kambarli Kalarak India Pvt. Ltd. 8th and 9th Floor Prestige Saleh
Ahmad Taskar Town, Shivajinagar, P.S.- Kabar Park, District - Bangluru
(Karnataka).

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Swati Daughter of Mritunjay Kumar Singh Resident of Mohalla -
AmirganjTajpura Road, Ward No.- 4, Monorama Lane, P.S.- Town, District -
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 22-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
C.R.No.356/19, T.R.No.2929/2019, registered for offences
punishable under Sections 498A, 406, 494, 384, 323, 504 of the
Indian Penal Code.

In this case earlier the notice was issued to the O.P.No.2
and the same has been received by the grand-father of the
O.P.no.2 and a petition for jointness has also been filed by the
petitioner showing that they are residing together and there is



no adverse interest between them. In view of that notice is accepted as valid.

Allegation against the petitioner, who happens to be husband of the complainant, is of demand of four wheeler and Rs.20 lac for that she was subjected to assault and cruelty.

Submission of the learned counsel for the petitioner is that allegation is false and concocted and there was love marriage between them and the day on which this application has been filed the complainant has also filed a divorce case before the learned Family Court, Samastipur, which will appear from Annexur-2 and in spite of that the petitioner is ready to keep her.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that the notice has been received by the grand father of the complainant but she did not choose to appear in this case.

In such view of the matter, let the petitioner, above named, surrender before the learned court below within a period of three weeks form the date of receipt of the order and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the



like amount each to the satisfaction of the learned CJM,
Samastipur in connection with C.R.No.356 of 2019/T.R.No.2929
of 2019 subject to conditions as laid down under Section 438
(2) of the Code of Criminal Procedure with further condition
that if O.P.no.2 is ready to reside with the petitioner, he has to
keep her with dignity and care..

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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