

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49104 of 2019**

Arising Out of PS. Case No.-2025 Year-2015 Thana- GAYA COMPLAINT CASE District-
Gaya

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RAJESH KUMAR @ RAJESH SHARMA Son of Teno Mistri @ Tano Mistri
Resident of Village- Pampukal Road, Nawada, P.S.- Nawada, District-
Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Guriya Devi D/o Kanahi Mistri Resident of Village-Chakauri Bigha, P.S.-
Tankuppa, District-Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad
For the Opposite Party/s : Mr.Bishweshwar Ram

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 24-10-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.2025/2015 , registered for offences
punishable under Sections 498(A) of the Indian Penal Code and
Section 4 of the D.P.Act.

In this case earlier notice was issued to the O.P.no.2 and
as per the report of the Process Server, O.P.no.2 had gone out
and her family members refused to take notice as such notice
was hanged on the door. Allegation against the petitioner is of
subjecting the complainant (wife) to cruelty with respect to
demand of Rs.01 lac and one motorcycle and also threatening



to solemnizing marriage with another lady.

Submission of the learned counsel for the petitioner is that the complainant is in the habit of lodging case one after another and earlier also she had lodged a case before the Mahila Police Station in which the petitioner has been granted bail, which will appear from the complaint case itself and now the present case has been filed.

Heard learned A.P.P. also.

Having heard both sides. This application is allowed and the provisional granted to the petitioner, vide order dated 6.8.2019 is confirmed.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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