

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48725 of 2019

Arising Out of PS. Case No.-81 Year-2019 Thana- PIRPAINTI District- Bhagalpur

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RITESH KUMAR Son of Shri Ramanand Singh Resident of Village -
Meghnad, Post Office - Marpa, P.S.- Balbadda, Distt - Godda (Jharkhand)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari Wife of Ritesh Kumar, D/o Jyotish Kumar Sinha Resident of
Village - Shadipur, Post Officer - Shadipur, P.S.- Pirpainty, Distt -
Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Syed Masleh Uddin Ashraf
For the Opposite Party/s : Mr.Yogendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 16-11-2019 This application, for grant of anticipatory bail, arises out
of Pirpainty P.S. Case No. 81 of 2019, disclosing offences under
Sections 341, 498(A), 504, 506/34 of the Indian Penal Code.

Petitioner happens to be husband of the informant and
allegation against him is of subjecting the informant to torture with
respect to demand of dowry.

Submission of learned counsel for the petitioner is that
earlier a petition was filed under Section 13(B) Hindu Marriage Act
for mutual divorce but later on as both the parties had decided to live
together, the same was withdrawn but later on this false case has
been filed with false allegation. He is still ready to keep her with full
honour and dignity, for which, he has also filed a petition under
Section 9 of the Hindu Marriage Act.



Heard learned A.P.P. as well as learned counsel for the informant. Learned counsel for the informant opposed the prayer for anticipatory bail on the ground that the girl is subjected to cruelty and she is not ready to live with the petitioner and informant has also filed a maintenance case, in which petitioner is not appearing. However, learned counsel for the informant could not mention the number of maintenance case.

Having heard both parties, considering the facts and circumstances, 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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Pirpainty P.S. Case No. 81 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure with further subject to the condition that petitioner has to appear before the learned Principal Judge, Family Court, Bhagalpur in the maintenance case filed by the informant and has to cooperate in disposal of the same.

(Vinod Kumar Sinha, J)

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