

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49527 of 2019

Arising Out of PS. Case No.-41 Year-2018 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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RITESH KUMAR Son of Kamlesh Mishra Resident of Village -
Madhukarpur, P.S.- Dinara, Dist.- Rohtas

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Rupam Kumari @ Rupam Devi Daughter of Saroj Kumar Tiwary Resident
of Village - Jogia, P.S.- Dinara, Dist.- Rohtas

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dineshwar Mishra

For the Opposite Party/s : Ms.Rina Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 05-11-2019 Petitioner seeks bail in anticipation of his arrest in

connection with Complaint Case No. 41 of 2018 instituted for

the offences punishable under Sections 406, 420, 323, 498A of

the Indian Penal Code and Sections 3/ 4 of Dowry Prohibition

Act in which cognizance has been taken under Section 498A of

IPC.

Petitioner happens to be husband of the complainant

and there is allegation of demand of Rs.10 lac by the petitioner

for purchasing a car and for that she was subjected to torture and

cruelty.

Submission of learned counsel for the petitioner is

that some serious allegation has been levelled against the



petitioner by the complainant and in such a situation it is not possible for the petitioner to keep her and as per order dated 13.8.2019 petitioner was directed to pay Rs.7,500/- per month to opposite party No.2 through demand draft and learned counsel for the petitioner has submitted that he has sent the demand draft through speed post. On the other hand, learned counsel for opposite party No.2 has submitted that she has not received any demand draft and moreover she is ready to reside with the petitioner and it is the petitioner who is not ready to keep her.

Heard learned APP also.

In view of above facts and circumstances, as the matter relates to matrimonial dispute between the parties, this application is disposed of with direction to petitioner to surrender and on surrender he shall be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Bikramganj, Rohtas, in connection with Trial No. 3561 of 2019, arising out of Complaint Case No. 41 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immoveable property within the jurisdiction of the court



concerned and further condition that petitioner has to deposit the above amount in the account of opposite party No.2 for which account number of opposite party No.2 shall be supplied by her to the court below and if opposite party No.2 has not received any amount earlier, the petitioner has to deposit the dues amount for that period also within a period of three months. It is also made clear that petitioner has to co-operate in disposal of the complaint case and appear in the court as and when required.

(Vinod Kumar Sinha, J)

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