

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51818 of 2019

Arising Out of PS. Case No.-1032 Year-2016 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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KARU RAJBANSHI Son of Kuldip Rajbanshi Resident of Village -
Kishanpur, P.S.- Akbarpur, Dist.- Nawadah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kari Devi D/o Anil Rajbanshi Resident of Village - Latawar, P.S.- Hisua,
Dist.- Nawadah.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar

For the Opposite Party/s : Mr.Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 04-11-2019 Petitioner seeks bail in anticipation of his arrest in connection with Complaint Case No. C 1032 of 2016 instituted for the offences punishable under Section 498A of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

As per complaint petition allegation against the petitioner is that he subjected the opposite party No.2 to torture and cruelty with respect to demand of dowry.

Submission of learned counsel for the petitioner is that as a matter of fact as she was not ready to reside with the petitioner, petitioner has filed a divorce case being Matrimonial Case No. 175 of 2016 which has been decided ex parte in favour of the petitioner, which will appear from Annexure-2 and the



allegation is false and concocted.

Heard learned APP and learned counsel for opposite party No.2, who has submitted that ex parte order has been obtained by the petitioner without knowledge of opposite party No.2 and opposite party No.2 has also filed a Misc. Case for setting aside the ex parte decree of divorce.

In view of above facts and circumstances, let petitioner, in the event of arrest or surrender, 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., Nawadah, in connection with complaint case No. 1032 of 2016, 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 immovable property within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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