

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49277 of 2019

Arising Out of PS. Case No.-135 Year-2018 Thana- PATAHI District- East Champaran

Vicky Singh @ Vicky Kumar @ Vikki Kumar @ Vicki Kumar, Aged about 30 years, Male, Son of Late Kameshwar Singh, Resident of Village Mahamada, P.S. Patahi, District East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Kundan Rathore, Advocate
For the State	:	Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 07-08-2019 Heard both sides.

Petitioner apprehends his arrest in Patahi P.S. Case No.135 of 2018, registered under Sections 498A and 34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

The wife of the petitioner alleged that she got married with the petitioner on 01.03.2012 and went to her *Sasural* but her husband and other in laws began to demand motorcycle, chain made of gold and Rs.3,00,000/- cash. When the demand was not fulfilled, they started torturing her. She further alleged that her brother brought her to her mother's house on the eve of marriage of her sister on 18.04.2018 and since then she is residing in her mother's house.

Learned counsel for the petitioner submits that the petitioner never demanded any dowry nor tortured his wife. The



wife of the petitioner is a quarrelsome lady. She left the house of the petitioner and does not want to live with him. Petitioner filed Matrimonial Case No.134 of 2018 under Section 9 of the Hindu Marriage Act for restitution of conjugal relations in which the informant appeared and she refused to live with the petitioner. Thereafter she filed the present case making false and frivolous allegation of demand of dowry and torture.

Taking into consideration the facts aforesaid and the nature of allegations made against the petitioner and the fact that the informant is not ready to live with her husband, let petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from the date of receipt of this order, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Patahi P.S. Case No.135 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

U		T	
---	--	---	--

