

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53101 of 2019

Arising Out of PS. Case No.-189 Year-2019 Thana- MANER District- Patna

ABHISHEK KUMAR S/o Sri Brajkishore Sharma R/o village- Sherpur, P.S.-
Manner, District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Mr.Nilesh Kumar
For the State	:	Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Maner P.S. Case No. 189 of 2019, disclosing offences under Sections 498/34 of the Indian Penal Code, including Section 3/4 of the Dowry Prohibition Act.

Learned counsel, appearing on behalf of the petitioner, has submitted that, though he has been described as the informant' husband to whom the informant is said to have been married, during the subsistence of her(informant's) first marriage with the petitioner's cousin, the petitioner cannot be considered to be the husband of the informant and, therefore, no case under Section 498A of the IPC can be said to be made out against him. He has further submitted that the case of the



prosecution is falsified by her own allegation of the informant made in a criminal case lodged by her in 2014, in which charge sheet has been submitted against the cousin of the petitioner, Praveen Kumar, treating him to be her husband.

Considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each, to the satisfaction of the learned J.M., 1st Class, Danapur in connection with Maner P.S. Case No. 189 of 2019, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

HR/-

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

