

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53376 of 2019

Arising Out of PS. Case No.-445 Year-2018 Thana- BAHERA District- Darbhanga

Sanjeev Kumar Thakur @ Santosh Kumar Thakur S/O Late Rajendra Prasad Thakur Resident of Nanak Gas Godown, Chhapki Parari, P.S.- Sadar, District- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar Bihar
2. Kumari Shabnam @ Madhumita D/O Bhubneshwar Prasad Thakur R/O Village- Suhath, P.S.- Bahera, District- Darbhanga.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr.Pankaj Kumar Das
For the Opposite Parties : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks pre-arrest bail in connection with Bahera P.S.Case No. 445 of 2018 registered under Sections 498-A, 379 read with 34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

It is submitted by the learned counsel for the petitioner that there is no truth behind the allegation made in the FIR that the petitioner subjected the informant to cruelty for non-fulfillment of demand of dowry. He contended that the instant case is a counter blast of Matrimonial Case No. 155 of 2018 filed by the petitioner before the learned Principal Judge, Family Court, Darbhanga on 31.07.2018. When the informant



came to know about the above matrimonial case, she concocted a false story and, in collusion with the local police, instituted the case on 18.10.2018.

On the other hand, learned counsel for the informant submitted that the allegations made in the FIR are all correct. The petitioner has filed matrimonial case, which is also an example of subjecting the informant to cruelty. According to him, in past on several occasions, the petitioner had agreed to keep the informant in her matrimonial home with dignity and honour, but all the times he has backed out from the undertaking given by him.

Be that as it may, considering the nature of allegation, in the event of arrest or surrender before the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Darbhanga in connection with Bahera P.S. Case No. 445 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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