

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53460 of 2019

Arising Out of PS. Case No.-13 Year-2019 Thana- MAHILA PS District- Aurangabad

Rahul Kumar Son of Radhey Shyam Narayan Prasad Resident of Village -
Tejpratap Nagar (Setungar), Anishabad, P.S.- Beur, Dist.- Patna.

... .. Petitioner

Versus

1. The State of Bihar
2. Shewata Suman Wife of Rahul Kumar , D/o Brajesh Kumar Sinha Resident
of Village - Kamalnagar Smriti, Satendra Nagar, P.S.- and Dist.-
Aurangabad.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. S.N.P. Sinha, Sr. Adv.

Ms Rashmi Bharti, Adv.

For the Opposite Parties : Mr. Kamalendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 16-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Sadar Mahila P.S. Case No. 13 of 2019 registered under
Sections 341, 323, 420, 354, 498-A, 379, 504 read with 34 of
the Indian Penal Code and Section 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 allegations made in
the FIR. As a matter of fact, the FIR has been instituted due to
matrimonial discord and incompatibility and even the married
sisters, uncles and younger brother have been made accused. It
is further contended that the petitioner is still ready to keep his



wife with dignity and honour in her matrimonial home. However, the informant herself is not ready to live with him.

On the other hand, learned counsel appearing for the informant submitted that the plea of innocence taken by the petitioner is not correct. The informant also wants to settle in her matrimonial home, but due to cruelty being meted out upon her, she has left her matrimonial home and is residing with her parents.

Regard being had to the nature of allegation, in the event of arrest or surrender before the court below, 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 Sub-Divisional Judicial Magistrate, Aurangabad in connection with Sadar Mahila P.S. Case No. 13 of 2019 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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