

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57390 of 2019**

Arising Out of PS. Case No.-265 Year-2017 Thana- KESARIA District- East Champaran

GUDDU MISHRA Son of Ygya Mishra, Resident of Village - Sangrampur,
Mishra Tola, P.S.- Sangramur, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Tiwari

For the Opposite Party/s : Mr.Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER**

2 17-09-2019 Heard both sides.

The petitioner apprehends his arrest in Kesariya P.S.
Case No.265 of 2017 registered under Section 498(A) of the
Indian Penal Code and under sections 3 and 4 of the D.P. Act.

The informant, in sum and substance, alleged that the
petitioner and his family members drove out the informant from
her in-laws' house after snatching her belongings including
ornaments and for last six months she was residing in her
parents' house.

Learned counsel for the petitioner submits that earlier
the informant had filed Sangrampur P.S. Case No.75 of 2014
making same and similar allegation in which the petitioner was



granted anticipatory bail. The wife of the petitioner again filed maintenance case and the Principal Judge, Family Court, East Champaran, Motihari granted maintenance to the informant. Against the order granting maintenance, the petitioner filed Cr.Revision No.615 of 2018 which is still pending in this Court. It is further submitted that the informant lodged the case making false and frivolous allegation. After institution of Sangrampur P.S. Case No.75 of 2014, the informant never visited the house of the petitioner and the allegation of assault and driving her out from her in-laws' house is absolutely false and concocted.

Having considered the facts and the nature of allegation made against the petitioner and the fact that earlier the informant also lodged criminal case being Sangrampur P.S. Case No.75 of 2014 under Section 498A of the I.P.C. making same and similar allegation and later on the informant also filed case for maintenance, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 learned C.J.M., Motihari, East Champaran in connection with Kesariya



P.S. Case No.265 of 2017, subject to the conditions as laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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