

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79685 of 2018

Arising Out of PS. Case No.-590 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Niku Kumar @ Niku Prasad S/o Shambhu Prasad Resident of mohalla-Bhola
Babu Colony, Teen Lalten Chowk, P.S-Bettiah Town, Distt.-West Champaran.
... .. Petitioner/s

Versus

1. State Of Bihar
2. Rupa Devi W/o Niku Kumar @ Niku Prasad R/moh-Bhola Babu
Colony, Teen Lalten Chowk, P.S-Bettiah Town, Distt-West Champaran.
... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar
For the Opposite Party/s : Mr.Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

9 23-08-2019 The petitioner apprehends his arrest in connection with

Bettiah (T) P.S.Case No. 590 of 2018 registered under Sections

323, 324, 341, 494 and 498A of the Indian Penal Code .

Allegation against the petitioner is that marriage of
O.P.No. 2 was solemnised with the petitioner in the year 2013
and after some time, petitioner along with other family members
used to pressurise O.P.No. 2 to get a piece of land registered in
the name of the petitioner belonging to her brother. It has been
alleged that due to non-fulfillment of demand, O.P.No. 2 was
being tortured physically and mentally by the petitioner and
other family members.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case based upon mala fide



complaint inasmuch as out of the wedlock, two children have borne and petitioner is ready to keep O.P.No. 2 as his wife. Learned counsel further submits that this Court was *pleased to* issue notice to O.P.No. 2 for negotiating settlement but it appears that despite service of notice, O.P.No. 2 chose not to appear.

After having heard learned counsel for the parties and taking into consideration the fact that petitioner is ready to keep O.P.No. 2 as his wife with care and dignity and despite service of notice, O.P.No. 2 chose not to appear before the Court, as such I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Bettiah, West Champaran in connection with Bettiah (T) P.S.Case No. 590 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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