

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79836 of 2018

Arising Out of PS. Case No.-316 Year-2017 Thana- JEHANABAD COMPLAINT CASE
District- Jehanabad

=====

Kabindra Kumar Kashyap @ Kavinder Kumar Kashyap Son of Ram Vinay Kashyap, Resident of Village-Maniyawa, P.S.- Kako, District- Jehanabad at present residing at Kolkata, P.O. P.S. Haridevpur, District-24 South Pargana, West Bengal, PIN Code- 700082.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Rinki Kumari, Wife of Kabindra Kumar Kashyap @ Kavinder Kumar Kashyap, Daughter of Shri Ram Pravesh Sharma, Resident of Village-Maniyawan, P.S.- Kako, District- Jehanabad.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh
For the Opposite Party/s : Mr. Nand Kumar

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 15-04-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 316 of 2017, disclosing offences under Sections 498(A), 323 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

Allegation against the petitioner is that the complainant was married with him in the year 2013 and in the year 2014, she had gone to her matrimonial home along with her husband and an Indica car has been demanded by her husband, on which her parents showed inability to fulfill the demand and thereafter the accused persons started harassing and torturing the complainant and ultimately, she was ousted from the house and



she is living separately.

Submission of learned counsel for the petitioner is that as a matter of fact he has lodged a case for cruelty meted out by the complainant against his father and mother, for which they have sent an information to the Officer Incharge Haridevpur Police Station, Kolkata on 02.03.2017, which is Annexure-2 to this application and thereafter he has filed a divorce suit on 13.04.2017.

Heard learned A.P.P. as well as learned counsel for the complainant, they have opposed the prayer for anticipatory bail of the petitioner on the ground that only after one year of marriage, she was subjected to torture with respect to demand of a vehicle and cash and thereafter she was ousted from the house also and even not a single penny has been given to the opposite party no.2, though the petitioner is working as a medical representative.

Having heard both sides, in view of the facts and circumstances of the case as stated above, this application is allowed. Let the petitioner, above named, surrendere before the court below within a period of six weeks from the date of receipt of the order and on surrender, he will be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad, in connection with Complaint Case No. 316 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that he has to pay Rs.10,000/- per month to the opposite party no.2 for a period of one year and it is expected that during that period, the opposite party no.2 may file a maintenance case before the Family Court for her maintenance and this order will govern by any interim or final order passed in the said maintenance case.

(Vinod Kumar Sinha, J)

Amjad/-

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

