

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58878 of 2019**

Arising Out of PS. Case No.-556 Year-2018 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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AKHILESH SAH S/o Jagdish Sah R/o village- Falka, P.S.- Falka, District-
Katihar

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Kiran Devi W/o Akhilesh Sah, D/o Janak Prasad Sah R/o village-
Madhubani, P.S.- Barari, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

2 23-09-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint
Case No.556 of 2018 for the offences allegedly committed by
the petitioner under Sections 498A, 406 and 34 of the Indian
Penal Code.

The complainant (wife of the petitioner) alleged that
the petitioner subjected her to physical and mental torture due to
non-fulfillment of demand of dowry and also drove her out from
the house.

Learned counsel for the petitioner submits that the
complainant earlier filed Complaint Case No.860 of 2016 but
the complainant herself withdrew the case. The complainant



again filed the present complaint case making same and similar allegation. It is further submitted that the present complaint petition is replica of earlier complaint case. Only grievance of the complainant is that the petitioner did not give money to his wife. The petitioner is ready to keep his wife.

Having considered the facts that the petitioner had earlier filed the complaint case being Complaint Case No.860 of 2016 and after withdrawing the same, the complainant again filed the present complaint case making same and similar allegation, 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 A.C.J.M. V, Katihar in connection with Complaint Case No.556 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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