

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59715 of 2019

Arising Out of PS. Case No.-1355 Year-2018 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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RAHUL KUMAR Son of Harendra Bhagat Resident of Village-Harchanda,
Police Station-Kanti, District-Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari Wife of Rahul Kumar, Daughter of Ramanand Chaurashiya Resident of Village-Harchanda, Police Station-Kanti, District-Muzaffarpur, Presently Residing at Village-Patiyasha Jalal, Police Station-Ahiyapur, District-Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjana

For the Opposite Party/s : Mr.Suman Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Trial No.3014 of 2018 arising out of Complaint Case No.1355 of 2018 dated 30.5.2018 registered for offences punishable under Sections 341, 323, 307, 308, 380, 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act, 1961.

Allegation against the petitioner, who happens to be husband of the complainant is of demand of Rs.10 lac and for non-fulfillment, assaulting her and ousting her from the matrimonial house.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is still ready to keep her but the complainant has not appeared before the court



below in spite of notice to her.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, this application is disposed of with a direction to the petitioner to surrender by 14.10.2019 before the learned court below and on surrender the learned court below shall issue notice to the O.P.no.2 for her appearance before the court and in the meantime, he shall release the petitioner on provisional bail in connection with Trial No.3014 of 2018 arising out of Complaint Case No.1355 of 2018 and once the O.P.no.2 appears, he will inquire from her as to whether she is ready to reside with the petitioner or not and if she is ready to reside with the petitioner and the petitioner files an affidavit that he is ready to keep her with dignity and care, the learned court below shall confirm the bail bond of the petitioner and in case of non-appearance of the O.P.no.2 also, he will confirm the bail bond of the petitioner.

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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