

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67012 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- CHIRAIYA District- East Champaran

Shyamal Kumar, Son of Bharat Rai, Resident of Village-Parewa, P.S.-
Shikarganj, Chiraiya, District-East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Bhagmati Devi W/O Shyamal Kumar, D/O Buden Rai, Resident of Village-
Aamgachhi, P.S.- Chiraiya, District - East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Surendra Kishore Thakur, Advocate
For the Opposite Party : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Chiraiya (Shikarganj) P.S. Case No.129 of 2019 registered for
the offences punishable under Sections 498A read with 34 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

It is submitted by the learned counsel for the
petitioner that the marriage of the informant with the petitioner
took place about six and a half years ago. There is no truth
behind the allegation of subjecting the informant to cruelty for
non-fulfilment of demand of dowry. As a matter of fact, the



informant out of her own sweet will left her matrimonial home due to matrimonial discord and incompatibility. It is further contended that pursuant to the notice of appearance under Section 41A of the Code of Criminal Procedure, the petitioners appeared before the police in course of investigation.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioner.

Regard being had to the nature of allegation and the submissions made above, in the event of arrest or surrender in the court below within a period of six weeks, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-divisional Judicial Magistrate, Sikrahana, Dhaka, East Champaran, Motihari in connection with Chiraiya (Shikarganj) P.S. Case No.129 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J.)

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