

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61610 of 2019

Arising Out of PS. Case No.-538 Year-2016 Thana- ROHTAS COMPLAINT CASE District-
Rohtas

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UDAY ASHOK KUMAR @ ASHOK KUMAR Son of Uday Narayan Chaudhary Resident of Village- Kukudha, Police Station- Itarhi in the district of Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anu Devi Wife of Uday Ashok Kumar @ Ashok Kumar, Daughter of Umashankar Rai Resident of Village- Dharampura, P.O.- Mujradh, Police Station- Nokha in the district of Rohtas.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-12-2019 Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Complaint case as lodged by the complainant is that her marriage was solemnized with accused petitioner on 18.05.2014 according to Hindu rites and ritual and she went to her marital house on Bidai. After one month, her in-laws including her husband started demanding a motorcycle and lap



top in dowry and non-fulfillment of dowry demand, she was being subjected cruelty and tortured physically and mentally. Lastly, on 12.12.2016, after assaulting her put down from the vehicle about one kilometer distance of Siwana from her Maiyka.

Learned counsel for the petitioner submits that the petitioner is innocent, committed no offence and has been falsely implicated in this case. He submits that the divorce case has been filed in which both the parties are agreed to take divorce by mutual consent. The petitioner has brought a draft of Rs. 6,50,000/- drawn in favour of the complainant.

In the facts and circumstances of the case on submission of draft of Rs. 6,50,000/- before the learned court below which will be handed over to the complainant, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on anticipatory 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, Rohtas at Sasaram in connection with Complaint Case No. 538 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

However, both parties are directed to appear before the Principal Judge, Family Court, Rohtas at Sasaram in Matrimonial Case No. 68 of 2018 within a period of one month from today. The petitioner is also directed to produce the aforesaid draft before the concerned judge.

(Anjani Kumar Sharan, J)

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