

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65666 of 2019**

Arising Out of PS. Case No.-448 Year-2016 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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RAJU KUMAR Son of Kameshwar Mahato @ Kameshwar Mahto Resident
of Village-Pathra, Police Station - Khizar Sarai, District-Gaya.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rubi Kumari Wife of Raju Kumar, D/o Rohit Prasad At present Resident of
Village-Jethouna, Police Station-Khudaganj, District-Nalanda.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Pushpa Sinha.1

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

3 12-12-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Complaint Case No.448C of 2016 , registered for offences
punishable under Sections 341, 323, 498(A), 504 and 506 of the
Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

As per FIR there is allegation against the petitioner, who
happens to be husband of the complainant of demand of
Colour TV and a vehicle and for non-fulfillment of the same
subjected her to assault and cruelty.

Submission of the learned counsel for the petitioner is



that the allegation is false and concocted and he is still ready to keep her with dignity and care and that stand he has taken before the learned court below also but the complainant appeared and refused to reside with the petitioner and the matter was referred to the Mediation Centre by this Court and the mediation has also failed. In spite of the fact that the petitioner is ready to execute a gift of one Bigha land.

On the other hand the learned counsel for the O.P.no.2 has appeared and submitted that the petitioner has solemnized marriage with another lady, however, process has not been issued under those Sections and due to that she is not ready to reside with the petitioner and she is ready for one time settlement but the same has not been fulfilled.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Hilsa, Nalanda in connection with Complaint Case No.448C of



2016 subject to conditions as laid down under Section 438 (2)
of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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