

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64385 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAHILA PS District- Aurangabad

Abhishek Kumar, Son of Dr. Lalit Mohan Singh, Resident of Shri Ganesh Puram, Road No. 5, Ward No. 21, Main Gola Road, P.S.- Danapur, District- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avanish Kumar Singh

For the Opposite Party/s : Mr.Md. Fahimuddin

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 24-10-2019 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Aurangabad (Mahila) P.S. Case No. 25 of 2019, registered under Section 341, 323, 498(A), 504 and 506/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is that marriage of informant was performed with the petitioner on 12.07.2016 but since date of marriage, petitioner and his family members used to demand cash of Rs.5,00,000/- as dowry but anyhow, marriage was performed and she was taken in Bidai at her matrimonial house. Thereafter, petitioner used to live out side of house in connection with sand business. In that course, she came to know



that her husband (petitioner) has illicit relation with a lady, namely, Bandana Singh and her husband also came at his house with Bandana Singh and moved from the house in the evening. On 15.07.2019, petitioner came at his house then informant made query to her husband-petitioner about his relation with Bandana Singh then she was assaulted and demand of Rs.5,00,000/- was made and she was removed from her matrimonial house on 03.10.2016. On 22.05.2019, her husband and father-in-law came to her Maika and again made demand of Rs.5,00,000/- to her parents, at that time, petitioner gave threatening to perform his re-marriage.

Learned counsel for the petitioner submits that due to mis-understanding, informant left her matrimonial house and thereafter, petitioner filed Matrimonial Case No. 833 of 2017 under Section 9 of the Hindu Marriage Act for restitution of conjugal life against his wife, informant, of the present case on 01.08.2017 and thereafter, informant lodged the present case only to give undue pressure against the petitioner and his other family members. Further submission is that informant has lodged the Misc. Case No. 01 of 2018 in the court of Principal Judge, Family Court, Aurangabad for maintenance under Section 125 of the Cr.P.C.



Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Aurangabad, in connection with Aurangabad (Mahila) P.S. Case No. 25 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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