

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64634 of 2019

Arising Out of PS. Case No.-432 Year-2019 Thana- MOTIHARI TOWN District- East
Champaran

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Vishal Gaurav, Son of Sri Ranjan Kumar Srivastava, Resident of Mohalla-
Shri Krishna Nagar, Police Station- Town, Motihari, District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Smt. Tripti Kumari, W/o Vishal Gaurav, Daughter of Deepak Sriastava. At present resident of Mohalla- Gaytri Nagar, Police Station- Town Motihari, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kishun Chand Kumar Sinha
For the Opposite Party/s : Mr.Pancha Nand Pandit

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 16-10-2019 This is an application for grant of anticipatory bail in connection with Motihari Town P. S. Case No. 432 of 2019, disclosing offences under Section 498A of IPC and $\frac{3}{4}$ of Dowry Prohibition Act.

Petitioner happens to be the husband of the informant and there is allegation of demand and torture.

Submission of the learned counsel for the petitioner is that as a matter of fact, informant does not want to reside with the petitioner. Petitioner has filed a case under Section 9 of the Hindu Marriage Act for restitution of conjugal rights, which has been decided ex-parte in favour of the petitioner. Later on, petitioner has filed a divorce case, which was also fixed for ex-



parte evidence and the informant later on appeared and after that, present case has been lodged.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Motihari Town P. S. Case No. 432 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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