

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69885 of 2019

Arising Out of P.S. Case No.-35 Year-2019 Thana- MAHILA P.S. District- Kishanganj

VIKASH KUMAR DEV Son of Khagendra Kumar Dev Resident of Village-
Purana Khagara, P.S.- Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Khushboo Kumari Wife of Vikash Kumar Dev, Daughter of Devendra Prasad Poddar. Resident of Sanoli Bazar Kantiya, P.S.- Kadwa, District- Katihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nandsingh
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 18-12-2019 Heard learned counsel for the parties.

This application for regular bail arises out of Kishanganj Mahila P.S. Case No. 35 of 2019 disclosing the offence under Sections 341, 323, 498-A, 313, 504, 506/34 of the Indian Penal Code.

The petitioner is the husband of the informant. He is in custody since 11.09.2019. On perusal of the FIR, it appears that the informant alleges her association with the petitioner for nearly last four years, whereafter they got married nearly three months prior to lodging of the FIR on 09.09.2019. It has been further alleged that after marriage, the in-laws of the informant have started demanding dowry and they are torturing her. There is allegation against the



petitioner and the in-laws of having conspired to abort the informant's pregnancy.

Learned counsel appearing on behalf of the informant has submitted that the informant is still willing to stay with the petitioner.

Be that as it may, it appears that the matrimonial dispute is the reason behind lodging of the FIR, it has been stated at the Bar that the petitioner has applied for dissolution of marriage before the concerned Family Court.

In any event, since the petitioner is in custody since 11.09.2019, considering the nature of allegation, this application is allowed.

Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand), with two sureties of the like amount, each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Kishanganj in Kishanganj Mahila P.S. Case No. 35 of 2019.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure



on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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