

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69985 of 2019

Arising Out of PS. Case No.-1154 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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BIRESH SAO S/o Ashok Sao R/o village- Sohjana Jagan More, P.S.-
Nawada, P.O.- Nawada, District- Nawada

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Geeta Devi W/o Biresh Sao R/o village- Sohjana Jagan More, P.S.- Nawada,
P.O.- Nawada, District- Nawada. D/o late Lattan Sao, Resident of Kalali
Road, Nawada, P.S. and P.O. and District- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Ranjan
For the Opposite Party/s : Mr.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 14-11-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 1154 of 2017, disclosing offences

under Sections 498A of the Indian Penal Code.

Petitioner happens to be husband of complainant and
allegation against him is of subjecting her to torture in
connection with demand of dowry.

Submission of learned counsel for the petitioner is
that entire allegation is false and concocted and complaint
petition itself shows that the complainant and petitioner were
married from before and from the earlier marriage, complainant
has a child also and further there is no statement in the
complaint petitioner as to whether she has divorced her first



husband prior to marriage with the petitioner and as such marriage is itself void.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, 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) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Nawada, in connection with Complaint Case No. 1154 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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