

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75063 of 2019

Arising Out of PS. Case No.-873 Year-2017 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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AMARJEET KUMAR Son of Sri Bijay Singh Resident of Village -
Masudanpur Navtolia, P.S.- Bath, District – Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR.
2. Pinki Kumari Wife of Amarjeet Kumar Daughter of Suresh Prasad Singh,
Resident of Village - Masudanpur Navtolia, P.S.- Bath, District - Bhagalpur
at present resident Mohalla - Bhikhanpur Siyaraj Nagar Netaheen Vidhalay
near gali ward no. 36, P.S.- Ishwachak, District – Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Pandey

For the Opposite Party/s : Mr.Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Complaint Case No. 873 of 2017 registered for
the offence punishable under Sections 323, 341, 438(A), r/w 34
of the Indian Penal Code and 4 of the Dowry Prohibition Act.

Complainant has alleged that marriage with petitioner
was solemnized on 09.12.2010, however, she was being tortured
due to non-fulfillment of demand of Rs. 5 lacs and a motorcycle
by the petitioner and his family members. One son was born in
the year 2015 from the said wedlock but petitioner used to
torture her and demanded money from her. Six months prior



petitioner deserted her and also threatened to annul the marriage.

It has been submitted on behalf of petitioner that he is innocent and allegations are false and concocted. Petitioner has no criminal antecedent and is in custody since 06.02.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Complaint Case No. 873 of 2017 subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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