

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75997 of 2019

Arising Out of PS. Case No.-1009 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Diamond Kumar Mehta @ Diamond Kumar @ Diamond Mehta, aged about 26 years, Sex- Male, Son of Chetan Mehta, Resident of Village-Khan Kapasya, P.S-Aurangabad, District-Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi Wife of Diamond Kumar Mehta @ Diamond Kumar @ Diamond Mehta Resident of Village-Khan Kapasya, P.S-Aurangabad, District-Aurangabad, daughter of Lalan Mehta, at present resident of village and P.O-Simri Dhamni, P.S-Mali, District-Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Rupa Kumari, Adv.
For the Opposite Party/s : Mr.Bishweshwar Ram (APP)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner, apprehends his arrest in connection with Complaint Case No. 1009 of 2018 registered for the offences punishable under Sections 323 and 498(A) of the Indian Penal Code and Section 4 of D.P. Act.

Complainant has alleged in her compliant petition that marriage between the complainant and petitioner was solemnized on 14.03.2018 and thereafter complainant went to her matrimonial home however she was subjected to torture by petitioner and his family members and on 01.11.2018 she was ousted from her matrimonial home.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Earlier a case under Section 9 of the Hindu Marriage Act was filed for restitution of conjugal right as complainant had left her matrimonial home and was residing in her parental home. The case under the Hindu Marriage Act for restitution of conjugal right was filed on 18.04.2018 and thereafter present complaint case was filed against petitioner and other family members.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Aurangabad, in connection with Complaint Case No. 1009 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure subject to verification that petitioner has no criminal antecedent.

(S. Kumar, J)

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