

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77641 of 2019

Arising Out of PS. Case No.-881 Year-2016 Thana- BHAGALPUR COMPLAINT CASE
District- Bhagalpur

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VIKASH KUMAR @ VIKASH JAISWAL Son of Late Ashok Kumar Choudhary Resident of Mahavir Chowk Block Road Singheshwar Sthan, Madhepura, P.S. Singheshwar Sthan, District - Bhagalpur.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anchal Bharti D/O Hemant Kumar Choudhary R/O Mohalla Purani Durga Asthan Sultanganj P.O. and P.S. Sultanganj, District - Bhagalpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal
For the Opposite Party/s : Mr.Murli Dhar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 02-12-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Complaint Case No.881 of 2016 dated 30.5.2016 , registered for offences punishable under Sections 323, 341, 379, 498A, 507, 506 of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant and there is allegation of demand of Rs.05 lac & four wheeler and for that tortured her.

Submission of the learned counsel for the petitioner is that the allegation is false and concocted and he is still ready to keep her with dignity and care and that stand has been taken before the learned court below also. Further submission is that she has filed a divorce case against the petitioner .



Heard learned A.P.P. and perused the impugned order, from which it appears that the petitioner has taken that stands before the learned court below also but the complainant has not appeared and submission has been made by the learned counsel for the complainant that she is not ready to reside with the petitioner as she was subjected to cruelty . .

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of three weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Complaint Case No.881 of 2016 subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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