

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2194 of 2019

Arising Out of PS. Case No.-779 Year-2014 Thana- PATNA COMPLAINT CASE District-
Patna

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Rohit Kumar, aged about 35 years, Male, Son of Anil Prasad @ Anil Kumar
Resident of Vill-Kachhi Dargah ke Bagal Main, P.S-Didarganj, Distt.-Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shiv Shankar Prasad Jaiswal, s/o Late Dayanand Prasad, resident of Vill-Daudpur, P.S-Shahpur, Distt.-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranaya Shanker Sinha
For the Opposite Party/s : Mr.Awadhesh Kumar Singh (App 215)

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-01-2019 Petitioner seeks bail in Complaint Case No.

779(c)/2014 registered for the offence punishable under

Sections 498(A), 379/34 of the Indian Penal Code.

The complainant has alleged that her daughter was married with the petitioner in the year 2009 and so many articles including the gold ornaments were given at the time of marriage. Thereafter, the daughter of the complainant went to her matrimonial house where she lived peacefully for some time. After that accused persons started demanding Rs.3,00,000/- in shape of further dowry and due to non-fulfillment of demand of dowry, victim girl was tortured in various ways. In the meantime, the petitioner solemnized



second marriage in December 2013 and second wife of the petitioner also assaulted the daughter of the complainant. It is further alleged that lastly the accused persons, after keeping her all belongings, had ousted her from her matrimonial house.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case. Allegation against the petitioner is false and concocted. It has further been submitted that from the perusal of the statement of the victim (wife of the petitioner) Seema Devi under Section 202 of Cr.P.C., before the learned Magistrate, it appears that she is of unsound mind and does not want to live with her husband and she has deserted petitioner. Petitioner has no criminal antecedent and he is in custody since 22.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Danapur (Patna) in connection with Complaint Case No. 779(C)/2014, with following conditions:-

(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 shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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