

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56732 of 2019

Arising Out of PS. Case No.-2627 Year-2012 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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Ajit Kumar @ Mankar Singh Son of Late Babban Prasad Singh Resident of
Village - Hridan Bigha, P.O. and P.S. - Barahiya, District- Lakhisarai

... .. Petitioner

Versus

1. The State Of Bihar
2. Soni Kumari Wife of Ajit Kumar @ Mankar Singh, D/O - Ram Naresh Singh Resident of Village - Hridan Bigha, P.O. and P.S.-Barahiya, District- Lakhisarai, Presently residing at Village and P.O.- Ramdiri, P.S.- Matihani, District- Begusarai

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

6 05-03-2020 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 2627 C of 2012 in which cognizance has
been taken for the offences punishable under Section 498-A of
the Indian Penal Code and Section 4 of Dowry Prohibition Act.

Petitioner happens to be husband of the complainant
(opposite party no. 2) and it is alleged that when complainant



gave birth to a female child, she was subjected to cruelty and torture by the petitioner as well as his other family members.

It would appear from perusal of the record that notice was sent to complainant but the said notice was received by her uncle and brother. An affidavit of jointness was filed on behalf of the petitioner showing jointness of complainant with her uncle and brother and accordingly, the aforesaid service was treated as valid service.

In spite of service of notice, the complainant did not choose to appear before this court to oppose the prayer of the petitioner.

Learned counsel appearing for the petitioner submits that prior to filing of present case, petitioner filed divorce case bearing Divorce Case No. 23 of 2012 against the complainant on the ground of cruelty.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Sub-divisional Judicial Magistrate, Begusarai in Complaint
Case No. 2627 C of 2012, subject to conditions as laid down
under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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