

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57538 of 2019

Arising Out of PS. Case No.-21 Year-2016 Thana- MAHILA P.S. District- Sitamarhi

Abhinit Kumar Gautam @ Abhineet Kr. Gautam, Son of Rameshwar Paswan
Resident of Village- Bhawdepur, Ward No. -4, P.S.- Riga, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babita Kumari Wife of Abhineet Gautam, and Daughter of Dhruv Prasad Gupta Resident of Bhawdepur, Ward No. -4, P.S.- Riga, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

5 05-03-2020 Heard learned counsel appearing for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection with Sitamarhi (Mahila) P. S. Case No.21 of 2016 registered for the offences punishable under Sections 341, 323, 498(A), 504/34 of the I.P.C. and Section 3/4 of the D.P. Act.

The petitioner happens to be husband of the opposite party no.2 and there is allegation of illegal demand as well as torture against the petitioner.

However, the office report dated 09.1.2020 goes to show that the notice was issued to opposite party no.2, but same was returned with refusal of opposite party no.2 and,



furthermore, Process Server reported that the opposite party no.2 has already solemnized her second marriage.

Considering the aforesaid facts and circumstances of the case 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, Sadar, Sitamarhi in connection with Sitamarhi (Mahila) P. S. Case No.21 of 2016, subject to conditions as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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