

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67305 of 2019

Arising Out of PS. Case No.-72 Year-2018 Thana- MAHILA P.S. District- Banka

Ashish Kumar Son of Anil Prasad Singh Resident of Village-Mahouta, P.S.-
Amarpur, District-Banka.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Shanta Kumari Ashish kumar d/o-Rajendra kishore Sharma r/v-Bhikhanpur
P.s.-Amarpur Distt.-Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Mahila P.S.**
Case No. 72 of 2018, registered for the offence punishable
under Sections 498(A), 341, 323, 354, 494, 504, 506 and 34 of
the Indian Penal Code.

Petitioner is husband of the Informant.

The informant alleged that due to non-fulfillment
of demand of dowry, her husband and in-laws subjected her to
mental and physical torture.

It is submitted that petitioner has falsely been
implicated in this case. The informant does not want to live with



the petitioner. Informant is government employee and posted as Mahila Constable at Sasaram. Informant is in habit of filing case against this petitioner. Before the present case, the informant has filed a case bearing Amarpur P.S. Case No. 221 of 2017 with same allegation. Petitioner has filed a matrimonial case bearing no. 31 of 2018 for restitution of conjugal rights and the case has been compromised between the parties. Thereafter, the informant again filed this case, bearing Mahila P.S. Case No. 72 of 2018 under Section 498(A) and other sections of IPC to harass the petitioner. Petitioner has got clean antecedent. There is no allegation of tampering with the evidence against this petitioner.

Counsel for the informant vehemently opposed the prayer for bail.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Sub-Divisional Judicial Magistrate, Banka** in connection with **Mahila P.S. Case No. 72 of 2018**,



subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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