

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59989 of 2019

Arising Out of PS. Case No.-1504 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

=====

Sanjay Kumar Mahto Son of Sita Ram Mahto Resident of Village -
Satmalpur, P.S.- Warisnagar, District - Samastipur

... .. Petitioner

Versus

1. The State Of Bihar
2. Rekha Kumari Wife of Sanjay Kumar Mahto Daughter of Suresh Kumar Singh, Resident of Village - Basudeopur, P.S.- Kalyanpur, District - Samastipur

... .. Opposite Parties

=====

Appearance :

For the Petitioner : Mr.Vinay Kumar Mishra
For the Opposite Parties : Mr.Manoj Kumar

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

4 04-03-2020 Heard learned counsel for the petitioner, learned counsel for the State and learned counsel for the complainant-opposite party no.2.

The petitioner seeks pre-arrest bail in connection with Complaint Case No. 1504 of 2018 registered under Section 498-A of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act.

It is submitted by the learned counsel for the petitioner that the allegation levelled against the petitioner is false, concocted and baseless. Never ever any demand of dowry was made from the opposite party no.2 nor she was subjected to cruelty in any manner by the petitioner or his relatives. The



petitioner is akin to retain the matrimonial relationship, but due to matrimonial discord and incompatibility the complainant is adamant not to live with the petitioner.

On the other hand, learned counsel appearing for the complainant-opposite party no.2 has vehemently opposed the prayer for grant of pre-arrest bail to the petitioner. She has stated that for non-fulfillment of demand of Rs.2 lakhs the petitioner subjected the complainant to cruelty in various manner.

Regard being had to the nature of allegation and the stand taken by the parties, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Complaint Case No. 1504 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

U		T	
---	--	---	--

