

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67912 of 2019

Arising Out of PS. Case No.-1009 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

=====

DR. RAJESH KUMAR S/o Sri Marai Ram @ Marai Prasad Ram R/o village-
Naini, P.S.- Chhapra Mufassil, District- Saran at Chhapra. At present posted
as Medical Officer, Primary Health Center, Maharajganj, P.S.- Maharajganj,
District- Saran at Chhapra

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Sharmila Kumari W/o Dr. Rajesh Kumar, D/o Late Yogendra Das R/o
Mohalla- Chiknauta, P.S.- Hajipur Town, District- Vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad
For the Opposite Party/s : Mr.Ram Sevak Choudhary

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 17-01-2020 This application, for grant of anticipatory bail, arises out
of Complaint Case No. 1009 of 2018, disclosing offences under
Sections 498A/34 and 494 of the Indian Penal Code.

Petitioner happens to be husband of the complainant and
allegation against him and others is of demand of Rs. Three Lakhs as
dowry from the complainant and of subjecting the complainant to
torture on non fulfilment of the said demand.

Submission of learned counsel for the petitioner is that as
a matter of fact that due to dispute, both the parties decided to
dissolve the marriage with mutual consent and accordingly, a
Matrimonial case under Section 13(B) of the Hindu Marriage Act
bearing Matrimonial (Divorce) Case No. 212/2012 was filed in the



court of learned Principal Judge, Family Court, Vaishali at Hajipur and in the said divorce case amount of permanent alimony was fixed at Rs. 2,50,000/-, out of which, the petitioner has paid Rs. 1,25,000/- to the complainant on 01.09.2012 and remaining amount of Rs. 1,25,000/- was paid by the petitioner to complainant on 27.03.2014. In support of his contention, learned counsel for the petitioner has produced the certified copy of order sheet of Family Court, Vaishali, Hajipur. Further submission is that later on the complainant became greedy and with a view to extort more money, she came out with this false case.

Heard learned A.P.P. also.

Having heard both sides, in view of the submissions as above, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur, in connection with Complaint Case No. 1009 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

