

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70741 of 2019

Arising Out of PS. Case No.-20 Year-2019 Thana- MAHILA P.S. District- Sitamarhi

Kundan Gupta @ Kundan Kumar Gupta, Son of Raghunath Gupta, Resident of Mohalla - Shanti Nagar, Dumra, Cotton Factory Road, Ward No. 02, Amghatta, P.S. and District – Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Kumari, Wife of Kundan Kumar Gupta, Daughter of Sri Radha Krishna Prasad, at present resident of At - Mirchai Patti, Rama Dressage, Janki Asthan Main Road, Sitamarhi, P.S. and District - Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr. Advocate. Mr. Lakshmikant Sharma, Advocate. Mr. Abhishekh Sharma, Advocate.
For the Opposite Party/s	:	Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-02-2020 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Sitamarhi Mahila P.S. Case No. 20 of 2019, registered under Sections 341, 323, 498A and 504/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is of torturing of informant-opposite party no.2 by her husband and in-laws due to non-fulfillment of demand of dowry and also removing from her matrimonial house.



Learned counsel for the petitioner submits that due to ill behaviour of the informant-opposite party no. 2, petitioner filed the Divorce Case No. 61 of 2019 before the Principal Judge, Family Court, Sitamarhi on 01.04.2019 and thereafter, the present case was lodged on 09.05.2019 only to give undue pressure. Further submission is that informant-opposite party no. 2 has filed Maintenance Case under Section 125 Cr.P.C., in which, petitioner is giving Rs.5,000/- per month to the informant-opposite party no. 2 as interim maintenance.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M, Sadar, Sitamarhi, in connection with Sitamarhi Mahila P.S. Case No. 20 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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