

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85172 of 2019

Arising Out of Case No.-906 Year-2018 BUXAR COMPLAINT CASE District- Buxar

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SUJEET KUMAR SAH @ SUJEET KUMAR SINGH Son of Ram Kumar
Sah Resident of Village - Karari, Dhobaha Bazar, District - Bhojpur, at Ara.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gunja Devi Wife of Sujeet Kumar Sah Resident of Karari, P.S.- Ara
Muffasil, District - Bhojpur, at present D/o Ram Prasad, Resident of Village
- Mishrauli, P.O.- Balua, P.S.- Brahampur, District - Buxar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ramadhar Shekhar
For the State	:	Mr. Ram Naresh Ray
For the Complainant	:	Mr. Amrendra Kumar

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 20-08-2020 Heard both sides.

The petitioner apprehends his arrest in Complaint case
No. 906(C)/2018 registered under Section 498A of the IPC and
u/s 4 of the Dowry Prohibition Act.

The complainant filed the complaint petition alleging
therein that petitioner and others subjected her to physical and
mental torture due to non fulfillment of demand of dowry.

The learned counsel for the petitioner submits that the
petitioner was married with the complainant in the year 2016
but she was carrying pregnancy before her marriage with the
petitioner. The complainant was treated by a doctor who
diagnosed that she was carrying pregnancy. It is further



submitted that there was a compromise between two sides but even thereafter the complainant filed the complaint case. It is submitted that petitioner has already filed divorce case and after having received notice in the divorce case the complaint filed the present complaint case.

The learned APP and the learned counsel for the complainant opposed the prayer for anticipatory bail and submitted that petitioner has forged the documents of agreement. The complainant was not carrying any pregnancy from before her marriage. The language of the agreement itself shows its falsity. The complainant is ready to live with petitioner.

It appears from perusal of the records that husband and wife are fighting with each other before filing of the present complaint case. The petitioner filed divorce case thereafter the complainant filed the present complaint case.

Considering the facts aforesaid and nature of allegation made against the petitioner, the petitioner, above named, in the event of his arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order is directed to be enlarged on bail on his furnishing bail bond of Rs. 10,000/- (rupees ten



thousand) with two sureties of the like amount each to the satisfaction of learned Sub divisional Judicial Magistrate, Buxar in connection with Complaint case No. 906(C)/2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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