

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1217 of 2020

Arising Out of PS. Case No.-369 Year-2017 Thana- DARBHANGA COMPLAINT CASE
District- Darbhanga

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Suman Kumar @ Chhotu @ Chottu Son of Dilip Yadav Resident of Village -
Kushiyam, P.S.- Baheri, Distt - Darbhanga.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Ram Dai Devi D/o Late Rajgir Yadav Resident of Village - Shivram, P.S.-
Baheri, Distt - Darbhanga.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar Sinha
For the Opposite Party/s : Ms.Indu Kumari Srivastava

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 28-05-2020 Heard Mr. Devendra Kumar Sinha, learned counsel for

the petitioner and Ms. Indu Kumari Srivastava, learned counsel

appearing for the State, through video conferencing.

The petitioner seeks regular bail in connection with
Complaint Case No. 369 of 2017, registered for the offence
punishable under Sections 498(A), 323, 504, 506, 324/34 of the
Indian Penal Code and Section 4 of the Dowry Prohibition Act.

The allegation against the petitioner in brief is that the
marriage of the petitioner was solemnized with the complainant in
the year 2016. It has further been alleged that the petitioner
demanded a sum of Rs. 2 lakhs and one motorcycle from the
relative of the complainant and when the demand of the petitioner
was not fulfilled, the petitioner along with other members started



torturing the complainant physically as well as mentally. It has further been alleged that in January, 2017, accused persons snatched all the belongings of the complainant and ousted her from the matrimonial house.

Learned senior counsel appearing for the petitioner submits that petitioner has falsely been implicated in this case inasmuch marriage of the petitioner was not solemnized with the complainant. He further submitted that the complainant in her deposition recorded in maintenance case bearing 50/17 (Annexure-2) has stated that at the time of marriage in 2016, the father of the complainant had given gift to the petitioner in the shape of ornament and cash whereas on the other hand at para 9, she has stated that the father of the petitioner died while complainant was two years old. Learned counsel further submits that notices were sent to the Opposite Party No.2 but it appears that despite having received the notice on 13.02.2020, the Opposite Party No.2-complainant has chosen not appear before this Court and the petitioner is in custody since 07.11.2019,

Having regard to the submissions made by learned counsel for the parties and taking into consideration the nature of allegation and the fact that the petitioner is in custody since 07.11.2019, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Darbhanga, in connection with Complaint Case No. 369 of 2017.

It is made clear that at the time of furnishing bail bond all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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