

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85338 of 2019

Arising Out of PS. Case No.-49 Year-2019 Thana- MAHILA PS District- Katihar

Manoj Kumar @ Manoj, aged about 26 years, S/o Punit Lal Prasad, Resident of Lohia Nagar, Barmasia, P.S.- Katihar Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha, Adv.

For the Opposite Party/s : Mrs.Shaheen Begum (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 07-01-2020 Heard learned counsel for the petitioner, counsel for the informant and learned counsel for the State.

Petitioner, apprehends his arrest for the offences punishable under Sections 498(A), 323, 313/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Informant has alleged that marriage with petitioner was solemnized on 06.05.2019 and earlier she was married to Krishna Mohan Kumar Gupta and after marriage petitioner and her in-laws torture her for non-fulfillment of demand of dowry. It is further alleged that she became pregnant and due to assault there was forcible abortion.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. The marriage was solemnized by practicing fraud and he has



filed an application under Section 11 of Hindu Marriage Act for declaring the marriage as a nullity.

Counsel for the informant has vehemently opposed the grant of anticipatory bail of the petitioner.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on pre-arrest bail on furnishing bail bond of Rs. 20,000/- (twenty thousand only) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Katihar, in connection with Mahila P.S. Case No. 49 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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