

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15332 of 2021

Arising Out of PS. Case No.-143 Year-2020 Thana- MASAUDHI District- Patna

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KUNDAN KUMAR Son of Late Vijay Ram Resident of Village - Gopalpur,
Mathiya, Police Station - Malsalami, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-04-2021 Heard Mr. Arvind Kumar Mouar, learned counsel for

the petitioner and Mr. Nawal Kishore Prasad, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with
Masaurhi P.S. Case No. 143 of 2020 registered for the offence
under Section 498(A) of the I.P.C. and Section 3/4 of the D.P.
Act.

The allegation against the petitioner as per the First
Information Report is that marriage of the informant was
solemnized with the petitioner in the year 2016 and it has been
alleged that for want of dowry the petitioner tortured the
informant mentally and physically and ousted her just after four
days of the marriage from her matrimonial home and since then
she is residing in her parental home.



Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case in retaliation to a divorce case filed by the petitioner against the informant bearing Matrimonial (Divorce) Case No. 172 of 2020 and thereafter the present false and concocted F.I.R. has been lodged inasmuch from perusal of the First Information Report itself it appears that the informant has been residing in her matrimonial home since 2016 but the present F.I.R. has been lodged after a lapse of about 04 years in the year 2020 that too after filing of the divorce case by the petitioner. Learned counsel next submits that petitioner is in custody since 17.06.2020 and the present case is triable by Magistrate.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the nature of allegation and the fact that the present F.I.R. has been lodged after filing of the divorce case by the petitioner, 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi at Patna in



connection with Masaurhi P.S. Case No. 143 of 2020.

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

(Anil Kumar Sinha, J)

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