

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15722 of 2021**

Arising Out of PS. Case No.-58 Year-2019 Thana- JAMALPUR District- Munger

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BINAY KUMAR S/o Ram Naresh Ram R/o village- Chhoti Keshopur (Near
Toril Mandal School), P.S.- Jamalpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sinha

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 20-12-2021 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Jamalpur P.S. Case No. 58 of 2019 registered under
Sections 498(A), 341, 323, 504, 506/34 of the Indian Penal
Code and $\frac{3}{4}$ of the Dowry Prohibition Act.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and has falsely been
implicated in the present case. Earlier, Avinash Kumar, husband
of the informant has filed petition for restitution of conjugal life,
which was decided in favour of him, as contained in Annexure-2
to the application. Further he submits that petitioner was also
one of the witnesses in Matrimonial Case (Annexure-3). The
petitioner was present on duty on the date when the allegation



was levelled. It is also contended that petitioner has solemnized the marriage with one Jyoti Kumari, in this regard Marriage Certificate was issued as Annexure-5.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing personal bond to the satisfaction of the Judicial Magistrate, 1st Class, Munger in connection with Jamalpur P.S. Case No. 58 of 2019, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Arvind Srivastava, J)

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