

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11476 of 2020

Arising Out of PS. Case No.-269 Year-2019 Thana- CHAKIA District- East Champaran

Saroj Kumar Pandey aged about 31 years S/O Jagarnath Pandey R/O Village-
Bhgowanpur, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner

Versus

1. The State Of Bihar
2. Rinchu Kumari W/O Saroj Kumar Pandey, D/O Dinesh Dubey R/O Village-
Koirganwa, P.O.- Ganesh Sirsiya, P.S.- Chakiya, District- East Champaran

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Nachiketa Jha, Advocate

For the Opposite Party : Mr.Madan Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 22-01-2021 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor representing the State.

The petitioner apprehends arrest in a case registered
for the offence punishable under section 498A and other
ancillary sections of the Indian Penal Code.

Prosecution's case, in brief, is that the opposite party
no.2 was married with the petitioner in the year 2009 and out of
the wedlock they had a son and a daughter. Soon after marriage,
petitioner who happens to be husband of opposite party no.2 and
his family members started subjecting her to torture for getting
Glamour motorcycle as a dowry. They also committed marpit
and finally ousted her from the matrimonial house.



Learned counsel for the petitioner submits that the allegation is general and omnibus and the petitioner had filed Matrimonial case no. 147/2019 on 11.4.2019 before the Principal Judge, Family Court, Muzaffarpur under section 9 of the Hindu Marriage Act which was decreed in his favour on 4.1.2020. Petitioner never demanded any motorcycle and informant has herself left the matrimonial house out of her own will.

In spite of valid service of notice, no one appears for opposite party no.2.

In the facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within eight weeks from today, let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Motihari East Champaran in Chakia Police Station Case No. 269 of 2019, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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