

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12834 of 2020

Arising Out of PS. Case No.-354 Year-2019 Thana- KORHA District- Katihar

SUSHIL KUMAR MEHTA, S/o Narayan Prasad Mehta, Resident of Village-
Jhiktiya, P.S.- Korha, Distt- Katihar.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Neha Kumari, W/o Sushil Kumar Mehta, D/o Late Raghunandan Prasad Singh Resident of Village- Jhiktiya, P.S.- Korha, Distt- Katihar.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

8 06-07-2021 Heard Sri Bimal Kumar, learned counsel for the petitioner and Sri Gauri Shankar Gupta, learned A.P.P. for the State through video conferencing.

The petitioner apprehends his arrest in connection with Korha P.S. Case no. 354 of 2019, registered under Section 323, 379, 307 and 498(A) of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The accusation is that marriage of the complainant/ informant/O.P. No.2 Neha Kumari was performed with the petitioner before 19 years, while she lead her conjugal life for about 15 years and blessed with a male issue, but, since, before five years she was being tortured for demand of cash of Rs.



Two Lakh and, lastly, she was removed from her matrimonial house on 14.05.2019 after snatching her personal articles.

Learned counsel for the petitioner submits that due to misunderstanding, the complainant/informant/O.P. No.2 filed this case, while due to wedlock of petitioner and O.P. No.2, there is one male issue and marriage of petitioner and O.P. No.2 had been performed before 20 years. Further submission is that in spite of receiving of notice issued under ordinary process by aunt of O.P.No.2 and notice issued under registered cover with A/D by son of informant, none appears on behalf of O.P. No.2.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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. Katihar in connection with Korha P.S. Case No. 354 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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