

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50326 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- RAMGARHWA District- East
Champaran

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GUDDU KUMAR GIRI S/O Shiv Pujan Giri R/O vill Khuguni P.S. -
Ramagarhaw, Dist. - East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Dhannjay Kumar No 2
For the Opposite Party/s :	Mr. Sunil Kumar Singh III
	Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioner, the State and
the informant.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 307, 494, 498(A) and
some other minor Sections of the Indian Penal Code.

As per the prosecution case, the informant was
married with this petitioner on 07.06.2017 and thereafter it is
alleged that she went to her Sasural but her husband and other
in-laws started treating her with cruelty for demand of dowry for
which in the year 2018 she lodged Ramgarhwa PS case No.
191/2018 but later on the matter was settled but thereafter they
again started demanding dowry and committed Marpit for which
she again lodged Ramgarhwa PS case No. 186/2019 thereafter



she is living at her Naihar. It is further alleged that when she came to know that the all FIR named accused persons in collusion with each other are going to solemnize 2nd marriage of her husband, she with her father and friends of her father on 17.06.2021 went to the house of this petitioner and made enquiry about the second marriage upon which all the FIR named accused persons put her down on the ground and pressed her neck by keeping Lathi on her neck and abused and assaulted her and ousted her from there.

Petitioner is husband of the victim. Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. This is the 3rd case filed by the informant on same facts. The informant is living with Mantu Rai after deserting this petitioner and there is no specific allegation of assault against this petitioner. Petitioner has already filed Divorce Suit No. 413 of 2019 and the informant has also filed Maintenance Case No. 58/2020 and petitioner has appeared in the case and is contesting the case. Petitioner is in custody since 20.06.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant vehemently opposed the prayer for bail and submitted



that informant is ready to live with petitioner and matter may be referred to Mediation Center for settlement.

Considering the facts of the case, the period of custody of the petitioner and the fact that several litigation are going on between the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran, Motihari in connection with Ramgarhwa PS case No. 181/2021.

(Prabhat Kumar Singh, J)

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