

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38769 of 2020

Arising Out of PS. Case No.-36 Year-2019 Thana- MAHILA P.S. District- Bhagalpur

Jyoti Mishra, daughter of Ajit Mishra @ Ajit Kumar Mishra, resident of
Village - Shermari Bazar, P.S. - Pirpainti, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandrasekhar Sharma

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 21-10-2021 Heard learned counsel for the petitioner and

learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending her arrest in a
case registered for the offences punishable under
Sections 120(B), 376, 498(A), 494, 34 of the Indian
Penal Code and Section 3 /4 of the Dowry Prohibition
Act.



It is alleged in the F.I.R that on the pretext of getting marriage, co-accused Manish Kumar established physical relationship with the informant. He, thereafter denied to have performed marriage with the informant but when the pressure mounted on behalf of the informant, he solemnized marriage with the informant in a temple. It is further alleged that thereafter co-accused Manish Kumar performed second marriage with this petitioner after taking dowry of rupees 25 lakhs.

It is submitted by learned counsel for the petitioner that petitioner is the second wife of co-accused Manish Kumar. In fact, she was not aware of the fact that her husband has earlier married to a girl. Moreover, the father of co-accused Manish Kumar has already been granted bail by a co-ordinate Bench of this Court vide order dated 18.12.2019 passed in Cr. Misc. No. 72873 of 2019.

In the facts and circumstance of the case, let the petitioner, above named, in the event of her arrest



or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhagalpur in connection with Bhagalpur Mahila P.S. Case No. 36 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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