

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4626 of 2021

Arising Out of PS. Case No.-56 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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MANISH KUMAR SINGH S/o Sri Chandra Prakash Singh Resident of Lane
No.- 4A, Mohalla- Shahajanand Colony, Bhagwanpur, P.S.- Sadar,
Muzaffarpur, District- Muzaffarpur.

... .. Petitioner.

Versus

1. THE STATE OF BIHAR.
2. APARNA SINGH D/o Ram Naresh Singh, W/o Manish Kumar Singh
Resident of Staff Quarter, Woman Polytechnic College, Bela, P.S.- Bela,
District- Muzaffarpur.

... .. Opposite Parties.

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Appearance :

For the Petitioner	: Mr. Prafull Chandra Jha, Advocate.
For the State	: Mr. A.P.P.
For the Informant/ O.P. No.2	: Ms. Punam Shrivastava, Advocate.

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

ORAL ORDER

2 06-04-2021 In view of the submission and undertaking of the

learned counsel for the petitioner, at the time of hearing of this

application, through Video Conferencing, that he would remove

the defect(s), as pointed out by the office vide its notes dated

15.01.2021, within four weeks of starting of the Court

proceeding in physical mode in normal course, he is permitted

to remove the same accordingly.

Heard learned counsel for the petitioner and the

learned A.P.P. for the State as also the learned counsel for the

informant/opposite party no.2, through Video Conferencing.



The petitioner apprehends his arrest in connection with Sadar Police Station Case No.56 of 2020 (G.R. No.436 of 2020) registered under Section 498A of the Indian Penal Code besides Sections 3 and 4 of the Dowry Prohibition Act.

The accusation is that the marriage of the informant/opposite party no.2 was performed with the petitioner, who is working as Probationary Officer in the Bank of Baroda, Baroda, in the year 2017 but after reaching of the informant/opposite no.2 at her Sasural house, she was being tortured through various modes for demand of cash Rs.50 lacs. While the informant/opposite party no.2 was at Baroda with her husband (petitioner) but she returned from there to her Sasural house situated at Muzaffarpur (Bihar) in January, 2020 but she was being tortured there also and her signature was obtained forcibly on a blank paper and she was also assaulted and an attempt was made to kill her. For the injury as sustained by her, the informant/opposite party no.2 got her treated at Sadar Hospital. Thereafter, the informant/opposite party no.2 informed to her father, then her father and uncle came to her Sasural house but her father was also assaulted and the informant/opposite party no.2 was removed from her Sasural house after snatching her personal belongings.



Learned counsel for the petitioner submits that, admittedly, the petitioner is the husband of the informant/opposite party no.2 and due to some misunderstanding, the informant/opposite party no.2 does not want to live with the petitioner. The petitioner has also filed Matrimonial Case No.69 of 2020 against the informant/opposite party no.2 in the court of the Principal Judge, Family Court, Muzaffarpur, for restitution of conjugal rights, which is pending for disposal. Further submission is that it would appear from the impugned order dated 09.11.2020 passed by the Sessions Judge, Muzaffarpur, in A.B.P. No.543 of 2020, whereunder the prayer of the petitioner for grant of pre-arrest bail has been rejected that the informant/opposite party no.2 refused to live with the petitioner showing danger to her life.

On the other hand, learned counsel for the informant/opposite party no.2 submits that due to cruel attitude of the petitioner, the informant/opposite party no.2 refused to live with the petitioner and in Maintenance Case No.189 of 2020 filed by the informant/opposite party no.2 against the petitioner in the court of the Principal Judge, Family Court, Muzaffarpur, the petitioner did not appear.

Having considered the facts and the circumstances of



the case, let the petitioner, above named, in the event of his arrest or surrender by him within six weeks from today, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in connection with Sadar P.S. Case No.56 of 2020 (G.R. No.436 of 2020), subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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