

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6812 of 2021

Arising Out of PS. Case No.-918 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Diwakar Kumar Dhar S/o Bhagirath Chandra Dhar R/o Mohalla- Kalibagh
Rajendra Nagar, New Colony, P.S.- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pritima Kumari @ Juli W/o Diwakar Kumar Dhar, D/o Sapan Chandra Das
Resident of Chhatauni Colony, P.S.- Chhatauni, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Shivjee Singh, Advocate
For the Opposite Party : Mr. Jharkhandi Updhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 29-11-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. C-918 of 2019 (Trial No. 51 of 2019)
for offences under Sections 498A, 406, 504 and 506/34 of the
Indian Penal Code.

As per the complaint petition, the allegation against
the petitioner is of torture.

It is being contended by learned counsel for the
petitioner that the petitioner is unemployed at present. Learned
counsel further submits that the petitioner was working in the
Health Department as Government servant.



Learned counsel for the opposite party no.2 submits that the marriage was solemnized between the petitioner as well as opposite party no.2 after spending dowry of Rs.10,00,000/- (Rupees ten lakhs) to the petitioner.

There are allegations and counter allegations which have been denied by the parties and the same cannot be decided here in the anticipatory bail application. This fact can only be decided during the trial.

Considering the aforesaid fact, the application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Complaint Case No. C-918 of 2019 (Trial No. 51 of 2019), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Learned counsel for the petitioner prays that a divorce petition bearing Divorce Case No. 76 of 2019 filed by him may be expedited. Opposite party no. 2 has no opposition to it. Learned counsel submits that opposite party no. 2 is avoiding to



appear before learned Principal Judge, Family Court, Bettiah in
Divorce Case No. 76 of 2019.

Now learned counsel for the opposite party no.2 has
come to know about the divorce case. Hence, she shall appear in
the court of learned Principal Judge, Family Court, Bettiah on
the next Monday (06.12.2021) and thereafter divorce case shall
be decided expeditiously and preferably within a year.

With the aforesaid observation and direction, the
application for anticipatory bail is allowed.

Let a copy of this order be communicated to the
Principal Judge, Family Court, Bettiah through FAX message
and Email immediately.

(Sandeep Kumar, J)

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