

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1271 of 2020

Arising Out of PS. Case No.-48 Year-2019 Thana- MAHILA PS District- Darbhanga

VIKESH KUMAR YADAV Son of Tej Narayan Yadav Resident of Village-
Navratan tol, P.S.- Bisfi, District- Madhubani (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sweta Kumari Wife of Vikesh Kumar Yadav, Daughter of Sunil Kumar Singh Resident of Village- Balha, P.S.- Keoti, District- Darbhanga (Bihar).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra
For the Opposite Party/s : Mr.Anil Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

6 28-06-2022 Heard the learned counsel for the petitioner and
learned APP for the State.

The petitioner apprehends his arrest for the offences alleged under Sections 323, 379, 498(A), 504 and 34 of the Indian Penal Code including Section 3/4 of the Dowry Prohibition Act, registered in connection with Darbhanga Mahila P.S.Case No. 48 of 2019.

The petitioner, as per the observation by order dated 21.06.2022, is in appearance, but none appeared on behalf of the opposite party no.2.

As per the allegation the petitioner tortured opposite party no.2 and demanded Rs. 10 lac cash in dowry.



Due to non-fulfilment of demand of dowry, he assaulted her. It has also been alleged that the informant saw the petitioner in objectionable position with his sister-in-law (*bhabhi*).

The learned counsel for the petitioner has submitted that the informant herself is not willing to reside with the petitioner and it was the reason that the petitioner has filed a divorce case against her in the court of Principal Judge, Family Court, Madhubani. In the plaint of the divorce case, the petitioner has specifically averred that the informant was not willing to reside with him and to lead conjugal life with him and it was the reason that he wanted a decree of divorce against the informant.

As observed above, none appeared on behalf of the opposite party no.2 despite specific direction of the Court to both parties to remain present today at 4.15 pm.

Considering the above facts and circumstances, let the petitioner above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, 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 learned Sub Divisional Judicial Magistrate Darbhanga in Darbhanga Mahila P.S. Case



No. 48 of 2019, subject to the conditions as laid down under
Section 438(2) Cr. P.C.

(Nawneet Kumar Pandey, J)

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