

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9472 of 2020

Arising Out of PS. Case No.-603 Year-2018 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Suman Kumar @ Suman Kumar Chaudhary, son of Ram Balak Chaudhary,
Resident of Village - Bibhutipur, P.S.- Bibhutipur, Distt.- Samastipur.

... .. Petitioner

Versus

1. The State of Bihar.
2. Uma Kumari, Wife of Suman Kumar, D/O- Pramod Rai, Resident of Village - Bhagatpur, P.O.- Balia, P.S.- Balia, Distt.- Begusarai, Address of Naihar - Vill. and P.O.- Kalyanpur Basti, P.S.- Mohiudinagar, Distt.- Samastipur.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Mukesh Kumar No.1, Advocate
For the Opposite Party : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

7 10-01-2022 Heard learned counsel for the parties through video conferencing.

This application for anticipatory bail arises out of C.R. No. 603 of 2018 for the offence punishable under Section 498-A of the Indian Penal Code and under Section 4 of the Dowry Prohibition Act.

Considering the submission of learned counsel for the petitioner that it is the opposite party no.2 who has deserted the petitioner as the petitioner is illiterate person and after marriage the opposite party no.2 has got Government job as a constable in Bihar Police, this application is allowed.



Let the petitioner, above named, in the event of his arrest/surrender within eight weeks from today in the Court below, 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 the learned S.D.J.M., Samastipur, in C.R. No.603 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, initially the petitioner shall be released on provisional anticipatory bail and thereafter the Court below shall verify the fact whether the opposite party no.2 has been appointed in Bihar Police or not. If it is found that the opposite party no.2 has been appointed in Bihar Police then the provisional bail of the petitioner shall be confirmed by the Court below. If the aforesaid fact is found false, in such circumstance, the Court below shall cancel the provisional bail of the petitioner and the petitioner shall be taken into judicial custody.

(Sandeep Kumar, J)

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