

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10067 of 2022

Arising Out of PS. Case No.-32 Year-2021 Thana- MAHILA P.S. District- Vaishali

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Bipin Kumar Son Of Vijay Kumar Singh Resident Of Village - Bajitpur, P.S.-
Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar
For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 01-12-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Sections 341, 323, 379, 494, 498(A), 504, 506/34 of

the Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act.

The accusations are of torture for non-

fulfillment of dowry demand, ousting the informant from

her matrimonial house and performing second marriage.

It is submitted by learned counsel for the

petitioner that a false and concocted story has been



created and petitioner has has been implicated in this case. The petitioner is husband of the informant and he never demanded any dowry. In fact, the informant is a quarrelsome lady and she herself does not want to live with the petitioner. The petitioner has not performed second marriage. It is also submitted that when petitioner has filed Matrimonial Case No. 20 of 2021 for dissolution of marriage, thereafter this case has been registered by the informant. The petitioner is still ready to keep the informant as wife with full dignity and honour. A statement to that effect has been made in para 9 of the petition.

It appears that vide order dated 23.08.2022, notice was issued to the informant. The office note dated 21.10.2022 suggests that notices have been validly served to the informant. However, in spite of valid service of notice, none appears on behalf of the informant.

Considering the present stand of the petitioner,



let the petitioner, above named, in the event of his 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Mahila P.S. Case No. 32 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

If the informant wishes to reside with the petitioner, she will file a petition to that effect before learned Court below. On receiving such a petition, the learned Court below will issue notice to the petitioner when the petitioner will be under an obligation to comply the undertaking given before this Court to keep the informant as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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