

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8870 of 2020

Arising Out of PS. Case No.-456 Year-2019 Thana- KUDHNI District- Muzaffarpur

Sukesh Kumar S/o Surendra Kapar Resident of Village- Chadhua, P.S.-
Kudhani (Turki O.P.), Distt- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Neha Kumari W/o Sukesh Kumar, D/o Shiva Pujan Ram Resident of
Village- Chadhua, P.S.- Kudhani (Turki O.P.), Distt- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-01-2022 Heard learned counsel for the petitioner,

complainant and learned APP for the State.

Learned counsel for the petitioner is expected
to honour his undertaking given in the instant case for
depositing the requisite court fee and to remove the
defects as pointed out by the office when called upon to
do so by the office.

The petitioner is apprehending his arrest in a
case registered for the offences punishable under
Sections 341, 323, 498A, 504/34 of the Indian Penal
Code and Section 3 /4 of the Dowry Prohibition Act.



The basic accusation is of torture for non-fulfillment of dowry demand and ousting the informant from her matrimonial house.

The petitioner denies the factum of marriage with the informant.

It is submitted by learned counsel for the petitioner that the informant claimed in the F.I.R. that petitioner performed marriage with the informant on 25.06.2019 at Garila Nath Temple, Muzaffarpur but the Secretary of Garih Nath Temple Trust Committee vide letter No. BGNM/19-20/21 informed that no marriage was solemnized inside the premises of the temple in between 21.06.2019 to 26.06.2019. This fact has also been mentioned in para 48 of the case diary. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforestated facts, 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 learned Sub-Divisional Judicial Magistrate
(West), Muzaffarpur in connection with Kudhani P.S.
Case No. 456 of 2019, subject to the conditions as laid
down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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