

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12968 of 2020

Arising Out of PS. Case No.-39 Year-2019 Thana- BANMANKHI District- Purnia

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1. VIKASH KUMAR Son of Suresh Prasad
 2. Suresh Prasad Son of Late Mahendra Prasad
 3. Rita Devi @ Rita Gupta Wife of Suresh Prasad
 4. Ashok Sah @ Ashok Gupta Son of Late Ramnarayan Prasad @ Narayan Sah
Resident of Village - Charai, Ward No. -10, P.S.- Jitna, District- East
Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/O - Ganpat Sah Resident of Banmakhi, Ward No.-6, P.S.-
Banmakhi, District- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Asif Kalim

For the Opposite Party/s : Mr.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

5 05-04-2022 Learned counsel for the petitioners is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners apprehend their arrest in connection

with Banmakhi P.S. Case No. 39/2019 registered for the

offences punishable under Sections 498(A) of the Indian Penal



Code and Section 3/4 of the Dowry Prohibition Act.

It is the case of the petitioners that the opposite party No. 2 is an impostor and she has tried to show that she is married with one Ved Prakash who is a mentally challenged person suffering from schizophrenia. Annexure-3 shows that Ved Prakash was never married with the opposite party No. 2.

Considered the submission of learned counsel for the petitioners.

Prima facie, it appears that Ved Prakash was not married to the opposite party No. 2 and the opposite party No. 2 is an impostor. The medical documents also show that Ved Prakash is suffering from schizophrenia and is under regular treatment in Ranch and at various other places.

Considered the aforesaid and considering the law laid down in the case of *Arnesh Kumar Vs. State of Bihar reported in (2014) 8 SCC 273*, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM, 1st Purnea, in connection with Banmakhi P.S. Case No. 39/2019, subject to the conditions as laid down under



Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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