

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15137 of 2022

Arising Out of PS. Case No.-866 Year-2020 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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AKHILESH KUMAR Son of Bal Sharan Prasad Resident of Ward No.1,
Makan No.56, Mohalla- Shastri Nagar, Mangar Bigha, Police Station-
Nawada, District- Nawada.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jyoti Kumari W/o Akhilesh Kumar, D/o Suresh Prasad At present residence
of Maliya Tari, Police Station- Rajauli, District Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-11-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is directed to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 498A, 406, 307, 120(B), 494 of
the IPC and sections 3/4 of D.P. Act.

The petitioner is said to have committed torture upon the
complainant in connivance with his family members for non-
fulfillment of demand of dowry. Thereafter, the petitioner
solemnized second marriage.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He



has been falsely implicated in this case. Petitioner has never tortured the complainant nor has made any dowry demand. There is general and omnibus allegation against the petitioner. It is submitted that mutual divorce petition has been filed in the court below vide Matrimonial Divorce Case No.153/2022.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Complaint Case No.866 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

However, before accepting the bail bond of petitioner, learned court below is directed to verify as to whether mutual divorce petition has been filed or not and in case mutual divorce petition has been filed, bail bonds of the petitioner be accepted.

(Anjani Kumar Sharan, J)

divyanshi/-pallavi/

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