

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20666 of 2020**

Arising Out of PS. Case No.-1068 Year-2018 Thana- EAST CHAMPARAN COMPLAINT  
District- East Champaran

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Vivek Kumar Sah @ Vivek Kumar Son of Late Indradev Sah @ Indrajeet Sah  
Resident of Village Singhiya Sagar, P.S.- Banjaria, District- East Champaran,  
Motihari.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi W/o Vivek Kumar Sah @ Vivek Kumar, D/o Chhotelal Sah  
Resident of Village Singhiya Sagar, P.S.- Banjaria, Dist.- East Champaran,  
Motihari., Presently resident of Village - Nandapur, P.S.- Motihari Muffasil,  
Dist.- East Champaran.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner : Mr.Jitendra Narain Sinha, Advocate  
For the Opposite Party : Mr.Kumar Veerendra Narayan, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

8      01-04-2022                      Learned counsel for the petitioner is permitted to  
  
remove the defect(s), as pointed out by the office, if any, within  
  
a period of four weeks from today.

The matter is being heard through video conferencing  
  
due to circumstances prevailing on account of Covid-19  
  
pandemic.

Heard learned counsel for the petitioner and learned  
  
APP for the State.

The petitioner apprehends his arrest in connection  
  
with Complaint Case No. C-1068 of 2018 for offences under  
  
Sections 323, 379, 498A/34 and 376 of the Indian Penal Code



and Section 3/4 of the Dowry Prohibition Act.

Despite service of notice upon opposite party no.2 by various modes, she has chosen not to appear in this case. Complaint case has been filed by the wife of the petitioner.

It seems that opposite party no.2 has no interest in the case. The allegations are usual as in matrimonial dispute.

In view of the law laid down by the Apex Court in the case of *Arnesh Kumar V State Of Bihar* reported in (2014) 8 SCC 273, this application for anticipatory bail is allowed.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East Champaran, Motihari in connection with Complaint Case no. C-1068 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Sandeep Kumar, J)**

BT/-

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