

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16618 of 2022

Arising Out of PS. Case No.-2 Year-2021 Thana- BALRAMPUR District- Katihar

SAJAN MAHTO @ SAJAN KUMAR MAHATO Son of Suresh Mahto
Resident of Village- Belbari, P.s.- Balrampur, District- Katihar.
... .. Petitioner/s

Versus

1. The State of Bihar
2. Parwati Devi D/o Raju Mahto Resident of Village- Belbari, Police Station-
Balrampur, District- Katihar.
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Sah
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Balrampur P.S. Case no. 02 of 2021 instituted for the offence under Sections 341, 323, 498A, 504/34 of the Indian Penal Code and Section 3/4 of the D.P. Act.

As per allegation in the FIR, marriage of the informant was solemnized with the petitioner as per Hindu rites and customs. On the pretext of earning livelihood, petitioner went another state and his family members started to demand Rs. Five lac. Due to non-fulfillment, she was ousted from their house. The petitioner allegedly used to use abuse the informant



on telephone.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. There is no marriage between the informant and the petitioner. For declaring the alleged marriage null and void, petitioner has filed Matrimonial Case No. 145 of 2022, is pending before the Family Court.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Balrampur P.S. Case no. 02 of 2021, he will be enlarged 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 SDJM, Katihar subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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