

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25674 of 2022

Arising Out of PS. Case No.-2332 Year-2015 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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CHANDAN KUMAR Son of Ramchandra Mahto @ Ramchandra Mahton @
Ramchandar Mahto @ Bhola Mahton Resident of village - Chhorahi, P.S.-
Khodawandpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nibha Kumari Wife of Chandan Kumar D/o Pawan Kumar Verma, Resident
of village - Hemanpur, P.S.- Bakhri, District - Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Sandip Kumar Gautam
For the Opposite Party/s	:	Mr.Suresh Prasad Singh
		Mr. Umanath Mishra A.P.P

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 30-08-2022 Learned counsel for the petitioner is permitted to

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

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner has preferred this application for grant

of regular bail in a case registered under sections 498A , 323,

504, 307, 379 of the Indian Penal Code and sections 3 and 4 of

the Dowry Prohibition Act.

As per the prosecution case, the complainant Nibha

Kumari married the petitioner as per the Hindu rites and custom.



After marriage the petitioner and her in-laws started demanding motorcycle as dowry and she was also tortured by them alledging that she was pregnant before the marriage. Lastly, she was ousted from the matrimonial home.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.12.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and has stated that the petitioner's anticipatory bail was allowed by the Hon'ble High Court vide order dated 16.11.2019 in Criminal Misc. No. 47690/2019 with a condition that *"the petitioner would go to the village home of the opposite party no 2 within a fortnight and, thereafter, collect her and restore normal family relation between themselves"* but the petitioner did not keep his wife rather he has contracted second marriage with another lady.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Sub



Divisional Judicial Magistrate, Begusarai, in connection with
Begusarai Complaint Case No. 2332C of 2015 dated 29.07.2015
P.S. Case No. 2332 of 2015.

The application stands allowed.

(Chandra Prakash Singh, J)

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