

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34975 of 2021

Arising Out of PS. Case No.-7 Year-2021 Thana- DORIGANJ District- Saran

PRADUMAN KR. @ PRADUMAN KUMAR Son of Vijay Choudhary
Resident of Village - Khawaspur, P.S.- Doriganj, Distt.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Janki Rawat Wife of Praduman Kumar D/o- Benga Prasad, R/o - Pakha Marhorha, P.S.- Marhoraha, Distt.- Saran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ram Priya Sharan Singh, APP
For the O.P. No. 2	:	Mr. Radha Mohan Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 29-04-2022 Heard Mr. Mukesh Kumar Singh, learned Advocate for the petitioner and Mr. Radha Mohan Singh for the informant/opposite party no. 2. The State is represented by Mr. Ram Priya Sharan Singh, learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Doriganj P.S. Case No. 07 of 2021 dated 07.01.2021 instituted for the offences under Sections 341, 323, 379, 498(A), 313 and 34 of the Indian Penal Code.

Though there is accusation of demand of dowry and ill-treatment but the petitioner vehemently denies that he had ever performed marriage with opposite party no. 2.

It has further been submitted that during the course of



investigation, it has come to light that the opposite party no. 2 is a married person with two children of 15 and 12 years respectively. She is residing with one Dhiru of Marhowrah whereas the petitioner is only 19 years of age.

As opposed to the aforesaid contention, Mr. Radha Mohan Singh, learned counsel for the opposite party no. 2 has drawn the attention of this Court to one of the annexures of the counter affidavit which is a receipt of contribution in a temple viz. Shri Baba Dharmnath Ji temple. It is the contention of the opposite party no. 2 that the petitioner had married opposite party no. 2 in this temple. Such receipts are the proof of the fact that the petitioner has married opposite party no. 2.

The document which has been brought on record by the opposite party no. 2 is not at all acceptable as any proof of the marriage of the petitioner with opposite party no. 2.

Regard being had to the submission advanced on behalf of the petitioner that he is 19 years of age, whereas the opposite party no. 2 is an elderly lady and that the actual fact is something other than what meets the eye, the petitioner is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on



his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-13, Saran at Chapra in connection with Doriganj P.S. Case No. 07 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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