

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21173 of 2021**

Arising Out of PS. Case No.-157 Year-2018 Thana- GAYA COMPLAINT CASE District-
Gaya

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VIVEK KUMAR S/o Pyar Chand Singh Resident of Village- Chhariyari, P.S.-
Makhdumpur, Distt- Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sapna Kumari D/o Shiv Shankar Prasad Resident of Village- Bihargain,
P.O.- Bhaluhar, P.S.- Raushanganj, Distt- Gaya. Bihar PIN Code- 824217

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar

For the Opposite Party/s : Mr.APP

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**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

3 09-03-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Complaint Case no. 157 of 2018 instituted for the offence
under Section 498(A) of the Indian Penal Code and Sections 3
and 4 of the dowry Prohibition Act.

This case relates to torture and harassment due to non-
fulfillment of dowry demand of Rs. Two lac and a motorcycle.
Finally husband of the complainant and his family members
ousted her from matrimonial home after snatching her
belongings.



Learned counsel appearing on behalf of the petitioner has submitted that petitioner is husband of the complainant and has been falsely implicated in this case. The petitioner has filed Matrimonial Case No. 56 of 2019 in Family Court, Jehanabad for declaring that complainant is not the wedded wife of the petitioner. They have never solemnized marriage. Other than the present complaint petition, complainant has also filed an F.I.R. for the same occurrence, in connection with Makhdumpur P.S. Case No. 64 of 2019, in which petitioner is on bail vide order dated 20.11.2019 passed in Cr. Misc. No. 57032 of 2019.

Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the submission made on behalf of the petitioner, this Court is inclined to enlarge him 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 Complaint Case No. 157 of 2018 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 Judicial Magistrate 1st Class, Sherghati, Gaya subject to the conditions as laid down under section



438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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