

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55856 of 2021

Arising Out of PS. Case No.-41 Year-2020 Thana- BARIYARPUR District- Munger

Kunal Kumar Suman @ Kunal Suman Son of Sri Sunit Pd. Suman @ Sunit
Suman Resident of Village- Ghorghat, P.S.- Bariarpur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sadanand Paswan, Advocate
For the Informant	:	Mr. Zainul Abedin, Advocate
For the Opposite Party/s	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 22-02-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and Shri Upendra Kumar, learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Bariyarpur P.S. Case No. 41 of 2020 instituted for the offences
under Sections 498(A), 379 and 34 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 27.07.2021, charge-sheet has been
submitted in the case and had antecedent of one case but the
said case was dropped after compromise.

Learned counsel for the petitioner submits that the
informant alleges that she was married to the petitioner in the
year 2019 but the petitioner is not keeping her properly and the



petitioner along with his entire family members is trying to oust her from her matrimonial home as the petitioner intends to get married for the second time. It is also alleged that the sister-in-law also creates disturbance in her life whenever she makes a call in her matrimonial home.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that the informant alleges that she is being tortured and tormented but in reality it is the petitioner and his family members who are really tortured and tormented and further that the petitioner is in custody while the informant is staying in her matrimonial home and the father-in-law and mother-in-law are staying outside the house. Learned counsel further submits that from perusal of the allegation it would also manifest that the entire allegation is cryptic and without any substance and are general and omnibus in nature.

Learned counsel for the informant and learned A.P.P. for the State vehemently oppose the prayer for bail of the petitioner and submits that the petitioner is intending to get married for the second time and the informant is being tortured at her matrimonial home but the learned counsel for the informant is not able to meet the submission of learned counsel



for the petitioner that the informant presently is residing in the house of the informant.

In the nature of allegations and considering that the petitioner is in custody since 27.07.2021, is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner above named is directed to 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 A.C.J.M.-II, Munger in connection with Bariyarpur P.S. Case No. 41 of 2020.

(Satyavrat Verma, J)

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