

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11059 of 2021

Arising Out of PS. Case No.-313 Year-2019 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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AMARJEET KUMAR SON OF MOHAN MAHATO R/O VILL.- MALPUR,
P.S.- KHODAWANDPUR (CHHAURAH), DIST.- BEGUSARAI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. POOJA KUMARI D/O BHIKHAR MAHATO R/O MIRZAPUR, P.S.-
ROSEIRA, DIST.- SAMASTIPUR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 31-03-2022 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 Complaint Case No. 313 of 2019 instituted for the offence under Sections 323, 406, 498A, 504 of the Indian Penal Code and Section 3/4 of DP Act.

This case relates to torture and harassment due to non-fulfillment of further dowry demand and finally husband of the complainant and his family members ousted her from her 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. Petitioner had also filed an application under Section 9 of the Hindu Marriage Act bearing Matrimonial Case No. 19 of 2019. He has never demanded any thing from the complainant. It is further submitted by learned counsel for the petitioner that petitioner is ready to keep his wife with full honour and dignity but it is the informant who does not want to lead the conjugal life with this petitioner.

Learned APP appearing for the State has 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. 313 of 2019 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 A.C.J.M.-I, Rosera Samastipur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

If the complainant wishes to live with the petitioner,



she will file a petition before learned Court below. On receiving such a petition, the Court below shall issue notice to the petitioner, when it is expected from the petitioner to comply the undertaking given before this Court to keep the complainant as wife with full dignity and honour.

(Sunil Kumar Panwar, J)

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