

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69636 of 2019

Arising Out of PS. Case No.-578 Year-2018 Thana- SHERGHATI District- Gaya

Krishna Kumar Kanchan Son of Raj Kumar Paswan R/o Satsang Nagar,
Puranichatti, P.S.- Sherghati, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

8 13-01-2022 Heard learned counsel for the petitioner,

informant and learned APP for the State.

Learned counsel for the petitioner is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon

to do so by the office.

The petitioner is apprehending his arrest in a

case registered for the offences punishable under

Section 498(A) of the Indian Penal Code and Section 3

/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-



fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that much prior to the institution of the present F.I.R, the petitioner has filed an informatory petition before the S.D.M, Sherghati regarding threats given by the informant to the petitioner and other family members for falsely implicating them in a case. A copy of the informatory petition dated 09.09.2017 is annexed as Annexure-2 of the petition. The petitioner made several efforts to resume the conjugal life with the informant but all went in vain. It is further submitted that on a complaint made by the informant before Mahila Help Line, Gaya, the petitioner was summoned. The petitioner appeared before the Mahila Help Line, Gaya but the informant denied to resume conjugal life with the petitioner and gave a written undertaking to that effect. A copy of the undertaking given by the informant is annexed as Annexure-4 of the petition. When all the efforts of the petitioner to



resume the conjugal life with the informant failed, the petitioner filed a divorce petition being M.T.S.(Divorce) Case No. 332 of 2018 under Section 13 of the Hindu Marriage Act for dissolution of marriage with the informant.

The learned counsel for the informant as well as learned A.P.P for the State vehemently opposed the bail petition of the petitioner.

Considering the aforestated facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P.S. Case No. 578 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



The informant, if desires, may file a petition
for maintenance as permissible under law.

(Sunil Kumar Panwar, J)

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