IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25462 of 2022
Arising Out of PS. Case No.-28 Year-2020 Thana- MAHILA PS District- Jamui

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GAUTAM DAS S/o Sukhdeo Das R/o village- Sundartand, P.S.- Laxmipur, District- Jamui

... ... Petitioner/s

Versus

The State of Bihar ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Binodanand Mishra,Advocate
For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP
For the Informant : Mr. Amrendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 30-01-2023 Heard Mr. Binodanand Mishra, learned counsel for the petitioner Mr. Amrendra Kumar, learned counsel for the informant and Mr. Jitendra Kumar Singh, learned APP for the State.

The petitioner apprehends his arrest in connection with Jamui Mahila P.S. Case No. 28 of 2020 for the offence registered under Sections 498A, 379, 506 and 34 of the Indian Penal Code and Section ¾ of the D.P. Act.

As per the prosecution story, the marriage of the informant was solemnized with the petitioner on 31.05.2020 but thereafter, they started demanding dowry and also tried to administer '*thymate*' and put her on fire by pouring kerosene oil. Accordingly, the FIR was lodged.

Mr. Binodanand Mishra, learned counsel for the petitioner submits that it is actually a '*pakadua*' marriage in which the petitioner was forcibly taken away by the informant's

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side and got the marriage solemnized with the lady for which they had already preferred complaint case No. 417C of 2020 pending before the Judicial Magistrate 1st Class, Jamui on 04.06.2020 and upon knowledge, the present FIR on 22.07.2020 was lodged.

Learned APP as also learned counsel for the informant opposes the prayer for bail.

Considering that the petitioner do not have criminal antecedent, there is allegation of '*pakadua*' marriage followed by counter allegation, ultimately the petitioner will have to face the trial, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Jamui in connection with Jamui Mahila P.S. Case No. 28 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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