

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37491 of 2023

Arising Out of PS. Case No.-1599 Year-2021 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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MANORANJAN KUMAR S/O BHARAT PRASAD R/O Village- Siraha, P.S.
Pakridayal, Dist. East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Pinki Devi, Wife of Manoranjan Kumar and Daughter of Awdhesh Kumar,
Resident of Village-Sidhwalia, P.S.-Rajepur, District-East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-08-2023

1. Heard learned counsel for the parties.

2. The petitioner in this application prays for bail apprehending his arrest in connection with Trial no.2727 of 2023 (arising out of Complaint Case no.1599 of 2021) in which cognizance has been taken under sections 498A, 323 and 34 of the Indian Penal Code.

3. As per the prosecution case, the allegation in the complaint is of the accused persons including the petitioner herein who happens to be the husband of the complainant of making a demand of motorcycle and cash to the tune of Rs.1 lakh. Thereafter, further allegation is of torture as also assault.

4. Learned counsel for the petitioner submits that



the petitioner has been falsely implicated in the case on account of his being the husband of the complainant. The petitioner filed a case for divorce under section 12 of the Hindu Marriage Act on 16.8.2021 which was registered as Matrimonial Case no.278 of 2021 in the Court of Principal Judge, Family Court, Motihari, East Champaran and it was only thereafter that the instant complaint was filed on 22.9.2021 making false and incorrect allegation against the petitioner and others. The petitioner has no criminal antecedent.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegation in the complaint, the submissions made by learned counsel for the petitioner and the complaint from which the instant application for bail arises having been filed on 22.9.2021 subsequent to the divorce case filed by the petitioner on 16.8.2021, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Trial no.2727 of 2023 (arising out of Complaint Case no.1599 of 2021) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the



learned Sub Divisional Judicial Magistrate, Sadar Motihari, East
Champaran.

(Partha Sarthy, J)

Saurabh/-

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