

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50240 of 2022**

Arising Out of PS. Case No.-339 Year-2014 Thana- MUNGER COMPLAINT CASE
District- Munger

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Birbal Sah Son Of Shankar Sah Resident Of Village - Alani, P.S.- Salkhua,
District - Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munni Devi Daughter of Parmanand Sah Wife of Birbal Sah, Resident of village - Alani, P.O.- Alani, P.S.- Salkhua, District - Saharsa at present residing at Village - Hanshu Singh Tola, P.S.- Bariapur, District - Munger

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Ranjan
For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 498(A), 494, 34 of the Indian Penal Code.

The basic accusation is of torture for non-

fulfillment of dowry demand and performing second

marriage.

It is submitted by learned counsel for the

petitioner that a false and concocted story has been



created and petitioner has has been implicated in this case. The petitioner is husband of the complainant and he never demanded any dowry. In fact, the complainant is a quarrelsome lady and she herself does not want to live with the petitioner. The marriage of the petitioner with the complainant was solemonized in the year 2006 and there are three children out of the wedlock. The petitioner is still ready to keep the complainant as wife with full dignity and honour. The petitioner denied to have performed second marriage.

Considering the present stand of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Munger in connection with Complaint Case No. 339(C) of 2014.

If the complainant wishes to reside with the petitioner, she will file a petition to that effect before learned Court below. On receiving such a petition, the



learned Court below will issue notice to the petitioner when the petitioner will be under an obligation 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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