

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57102 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- MAHILA PS District- Jehanabad

Priy Ranjan Kumar @Priyaranjan Kumar Son Of Ashok Kumar Resident Of
Village- Chandhari, PS- Parasbigha, Distt- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vardaan Mangalam. Adv.

For the Opposite Party/s : Mr. M. K. Nirala, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 30-08-2023 Heard Mr. Vardaan Mangalam, learned counsel
appearing on behalf of the petitioner and Mr. M. K. Nirala,
learned Additional Public Prosecutor for the State.

2. The petitioner, being the husband of the informant,
apprehends his arrest in connection with Mahila P.S. Case No.
15 of 2023, registered for the offences punishable under
Sections 498(A)/ 341/ 323/ 379/ 506/ 34 of the Indian Penal
Code.

3. Allegedly, the marriage of the petitioner with the
informant was solemnized on 06.05.2010 and thereafter the
couple blessed with two children. It is further alleged that after
some time, the informant was subjected to demand of dowry
and on account of non-fulfillment of the same, she was tortured
in various ways resulting into lodging of the FIR.



4. Learned counsel appearing on behalf of the petitioner drew the attention of this Court to Matrimonial Case No. 97 of 2021, the copy of which has been brought on record by way of Annexure-2 to the application and with reference thereto he submits that the present case is nothing but has been instituted with an oblique reason, that too, when the informant came to know about the matrimonial case. He further submits that the petitioner has also been paying Rs. 8,000/- per months to his wife to maintain herself since 07.12.2018 but only with a view to wreak her vengeance the present case has been instituted by making a frivolous allegation, though the informant has been residing separately since 2018.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that there is already pending divorce case between the parties bearing Matrimonial Case No. 97 of 2021 instituted on 25.09.2021 much earlier to the institution of the present FIR and furthermore, the informant is getting some amount for maintenance, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below



within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Jehanabad in connection with Mahila P.S. Case No. 15 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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