

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63269 of 2023

Arising Out of PS. Case No.-293 Year-2023 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

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1. RAMASHISH DUBEY S/o Sarju Dubey R/o Village-Doia, P.O.-Mamrejpur, P.S.-Chenari, District-Rohtas.
 2. PUNNU DUBEY @ AKHILESH DUBEY S/o Ramashish Dubey R/o Village-Doia, P.O.-Mamrejpur, P.S.-Chenari, District-Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. KAJAL DUBEY W/o Sonu Dubey @ Arvind Dubey @ Arvind Kumar Dubey, D/o-Dinesh Pandey R/o Village-Doia, P.O.-Mamrejpur, P.S.-Chenari, District-Rohtas, at present-Madra, P.O.-Baradhi, P.S.-Chainpur, District-Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Adv.

For the Opposite Party/s : Mr. Pradeep Narain Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 17-10-2023 Heard learned counsel for the petitioners, learned
counsel for the informant as well as learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Complaint Case No. 293 of 2023, dated 18.4.2023, registered for the offence punishable under Sections 341, 323, 498A, 313, 504 of the Indian Penal Code and 3/4 of the D.P. Act.

3. The case of prosecution, in short, is that the marriage of the complainant was solemnized with Sonu Dubey @ Arvind Dubey on 18.02.2022. At the time of marriage, in-



laws family demanded a bullet motorcycle from her father. After intervention of relatives, the marriage was performed and she went to her in-laws house, but she was not kept well for a single day. The in-laws family always demanded bullet motorcycle and mentally tortured her. The husband of the complainant brought her hospital on the pretext of treatment and without her consent took her signature over bond paper and got her aborted. Thereafter, they snatched all her ornaments amounting to Rs. 2,50,000/- and left her in the area of her village.

4. Learned counsel for the petitioners submits that petitioner no. 1 is father-in-law and petitioner no. 2 is dewar of the complainant. It is submitted that in paragraph-4 of the Complaint Case, it is specifically mentioned that complainant was earlier married with Sonu Pandey and she is having four years girl child, born from wedlock of Sonu Pandey. The said marriage was dissolved by the Surpanch, Gramkutchery. Learned counsel for the petitioner further submits that this fact has been suppressed by the complainant as well as her parents and without giving information of first marriage, which is legally subsisting till date, she has performed second marriage.

5. Learned counsel for the complainant very specifically admitted that earlier marriage has not been annulled



by any Court. However, he has vehemently opposed the prayer for bail to the petitioners.

6. Having considered the facts and circumstances of the case and the submissions of learned counsel for the parties, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Ashutosh Tripathy, learned S.D.J.M., Kaimur at Bhabhua in connection with Complaint Case No. 293 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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