

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72063 of 2022

Arising Out of PS. Case No.-96 Year-2022 Thana- BYPASS District- Patna

RAJEEV KUMAR Son of Mohanlal Singh Resident of Ishwari Nagar, Near
M.C. Sansthan, P.S.- Phulwarisharif, Khagaul Road, District - Patna.
Presently residing at Flat No.- 478, Section 4-C, Vartalok Apartment,
Vasundhara Gaziabad, U.P., Pin 201012.

... .. Petitioner

Versus

1. The State of Bihar
2. Kirti Kumari Wife of Rajeev Kumar Daughter of Anirudh Kumar Mehta,
Resident of Mohalla - Chhoti Nagla, Aadra Colony, P.S.- Malsalami, District
- Patna. Presently residing at Begumpur, Near Patna Yamaha Motors, Guru
Gobind Singh Lane, Patna City, P.S.- Mehandiganj, Bihar - 800009.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Ms.Sagrika, Advocate Mr.Anuj Kumar, Advocate
For the State	:	Ms.Pushpa Sinha, APP
For the Informant	:	Mr. Brajesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 15-05-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Bypass P.S. Case No. 96 of 2022 registered for the offences punishable under Sections 341, 323, 504, 498A/34 of the Indian Penal Code and $\frac{3}{4}$ of the Dowry Prohibition Act. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant alleged



that she was married to one Rajeev Kumar with Hindu rites and rituals in the year 2015. Her father gifted him Rs. 20,00,000/- and jewelleries and other house hold articles in the marriage. After some time, her Saas-Sasur, Bhainsur, Devar, Gotni and Nanad started taunting her. Her husband used to assault her in intoxicating state. Thereafter, she was sent to her naihar. After some time, she gave birth to a female child, on which all the accused persons used to torture her. In Mahila Police Station the counseling took place which was failed. Thereafter, the instant FIR has been lodged against the accused persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that petitioner is a literate person and he is posted as Officer at Cabinet Secretariat, Delhi. Learned counsel further submits that both the parties have shown their inclination to live together and the petitioner is ready to take back his wife and children to his matrimonial house.

Learned counsel for the informant as well as learned A.P.P. for the State are present.

Having regard to the submissions of both the parties wherein they have shown their inclination to live together and the petitioner is ready to take back his wife and children to his



matrimonial house, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be released on **Provisional Bail for a period of six months** on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., VI, Patna City, Patna in connection with Bypass P.S. Case No. 96 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C., whereafter on being satisfied with his conduct the learned court below shall confirm his bail.

Learned counsel for the petitioner has submitted on instruction that within one months from today he will take back his wife and children to his matrimonial home.

In case, the petitioner goes to take back his wife and children and the informant denies going with him, he will bring it immediately to the notice of the learned court below.

This application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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