

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1059 of 2022

Arising Out of PS. Case No.-1911 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Ashok Kumar Son of Late Ram Nagina Baitha R/o Village- Fulhara, P.S-
Rajapakar, District- Vaisali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Devi D/o Late Agan Baitha Resident of Village- Gaura Hathsar, P.O.-
Gaura Bazar, P.S.- Marhaura, District- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Advocate.

For the Opposite Party/s : Mrs. Nirmala Kumari, APP.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

10 09-05-2023 Heard Mr. Satya Prakash Sinha, learned counsel

appearing on behalf of the petitioner and Mrs. Nirmala Kumari,

learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection
with complaint Case No. 1911 of 2018 registered for the offence
punishable under Sections 498A, 307, 323, 324, 379 and 504/34
of the Indian Penal Code and Sections 3 and 4 of the Dowry
Prohibition Act.

3. The present case relates to matrimonial dispute
between the petitioner and the complainant who are husband
and wife.

4. Learned counsel appearing on behalf of the



petitioner submits that the complainant in Para-2 of the affidavit dated 02.06.2016 has made specific statement that she is married to one Raja Baitha and he further submits that the petitioner is also married. It is a case in which, at the best, it can be considered that the petitioner and the complainant (opposite party no.2) were in live in relationship. He further submits that the petitioner will take steps to enter into some sort of settlement.

5. This Court finds that it will be proper that the petitioner should surrender before the court below and seek regular bail by bringing on record all the evidences to show that the opposite party no.2 – complainant was willingly having relationship with the petitioner for nearly two years.

6. If the evidences are brought on record, the petitioner is directed to be released on regular bail on such terms and conditions as the court below may deem it fit and proper.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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