

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73433 of 2023

Arising Out of PS. Case No.-40 Year-2023 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Vijay Kumar S/O Late Pardeshi Rawat Resident Of Village- Babura, P.S.-
Babura, District- Kaimur At Bhabhua (BIHAR).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rasidun Khatun W/O Vijay Kumar Resident Of Village- Mohania Ward
No.08, P.S.- Mohania, District-Kaimur At Bhabhua (BIHAR).

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. R.K.Sinha No-2, Advocate
For the Opposite Party/s :	Mr. Umanath Mishra, APP
For the Informnat	Mr. Parwaj Khan, Advocate

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-11-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The Petitioner is apprehending his arrest in
connection with Mohania Mahila P.S. Case No. 40 of 2023
registered for the offences punishable under Sections 498 (A),
313/34 of the Indian Penal Code and Section 3/4 of the Dowry
Prohibition Act.

4. As per the prosecution case, the complainant/
opposite party has solemnized marriage with the petitioner on



17.12.2020 in the temple of Delhi and living together in Delhi. She came to know that earlier petitioner had solemnized marriage with another girl, thereafter she was subjected to cruelty and she was ousted from her matrimonial house. Hence, the present FIR has been lodged.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The complainant/ opposite party is not legally wedded wife of the petitioner and she has not given the name of temple , where she has solemnized marriage with the petitioner in the F.I.R. She only furnished a notarized affidavit which falsified the whole story. It is further submitted that from perusal of the impugned order the complainant has already solemnized marriage with another men. The petitioner has no criminal antecedent as stated in para-3 of the bail application.

6. Learned A.P.P for the State has opposed the prayer for anticipatory bail of the petitioner.

7. Considering the aforesaid facts and circumstances as well as submissions of the parties, let the above named petitioner, in the event of his arrest/ surrender within six weeks from the date of receipt of this order to the court concerned, be released on anticipatory bail on furnishing bail bonds of Rs



20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Mohania, Kaimur in Mohania Mahila P.S. Case No. 40 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

N.K/-

(Chandra Prakash Singh, J)

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