

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3648 of 2023

Arising Out of PS. Case No.-19 Year-2022 Thana- MAHILA PS District- Jehanabad

GAURAV KUMAR, aged about 21 years, (M), SON OF JAY NANDAN SHARMA R/O VILLAGE- BIRA, P.S.- HULASGANJ, DISTRICT- JEHANABAD

... .. Petitioner/s

Versus

1. The State of Bihar
2. RICHA KUMARI D/O RABINDRA SINGH R/O VILLAGE- KOKARSHA, P.O.- BHAGWANPUR, P.S.- HULASGANJ, DISTRICT- JEHANABAD

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sameer Sawarn, Advocate
For the State	:	Mr. Ramesh Chandra, App
For the informant	:	Mr. Hridayal Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 12-04-2023 Heard learned counsel for the petitioner, the learned APP for the State as well as learned counsel for the informant.

Petitioner seeks regular bail in connection with Jehanabad Mahila P.S. Case No. 19 of 2022 dated 12.06.2022 registered for the offence(s) punishable under Section(s) 498(A), 506, 379 and 34 of the Indian Penal Code and Section 4 of DP Act.

As per the prosecution, the informant (victim) alleged that this petitioner (husband of the informant) and her in-laws physically tortured and assaulted her with regard to non-fulfilment of dowry demand. Further it is alleged that this



petitioner and the victim were in physical relationship for 20-21 months prior to the solemnization of their marriage.

The main submissions advanced by the learned counsel for the petitioner are that the petitioner does not admit the matrimonial relationship with the informant, in fact he was abducted and married to the informant forcefully for which he has filed a matrimonial case No.92 of 2022 in the Family court, Jehanabad to declare his forceful marriage as null and void and he has been languishing in jail since 24.08.2022 and he is in government service in Armed Forces and he has fair and clean antecedent.

Learned counsel appearing for the informant has vehemently opposed the bail prayer and submitted that the informant wants to lead her matrimonial life with this petitioner and she was validly married to this petitioner in presence of several public representatives and petitioner has spoiled the life of the informant.

In view of the facts, as stated above, and mainly considering the petitioner's custody period and also the fact that he is stated to be an army personnel, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on



furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Jehanabad Mahila P.S. Case No. 19 of 2022.

(Shailendra Singh, J)

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