

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.54015 of 2023**

Arising Out of PS. Case No.-34 Year-2023 Thana- LAKHISARAI District- Lakhisarai

BARUN KUMAR SON OF SRI KAILASH SAW @ KAILASH SAH  
RESIDENT OF VILLAGE- BANGALWA, PS- LADAIYATAR, DIST-  
MUNGER,

... .. Petitioner/s

Versus

1. The State of Bihar BIHAR
2. SHWETA KUMARI WIFE OF SRI VARUN KUMAR RESIDENT OF  
VILLAGE- NAYA BAZAR PETROL PUMP, PS- LAKHISARAI,  
(KAWAIYA OP), DISTT- LAKHISARAI

... .. Opposite Party/s

**Appearance :**

|                      |   |                            |
|----------------------|---|----------------------------|
| For the Petitioner/s | : | Mr. Rajesh Kumar           |
| For the State        | : | Mr. Md. Shakir Ahmad       |
| For the O.P. No.2    | : | Mr. Satyendra Prasad Singh |

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

4      27-02-2024                      Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered  
for the offence punishable under Sections 498A, 494, 34 of the  
Indian Penal Code and  $\frac{3}{4}$  of D.P. Act.

3. Petitioner, who is the husband of the O.P. No.2, is said  
to have assaulted and tortured her on the pretext of non-  
fulfillment of demand for dowry.

4. It is submitted by learned counsel for the petitioner that  
petitioner is quite innocent and has committed no offence. He  
has been falsely implicated in this case. Petitioner has neither



demanded dowry from the informant nor tortured her. There is no specific overt act against the petitioner. He submits that the petitioner is already paying Rs.5000/- per month to the O.P. No.2, as per the direction of the order dated 08.11.2023. Petitioner has no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State as well as learned counsel for the O.P. No.2 opposed the prayer for anticipatory bail. Learned counsel for the O.P. No.2 submits that the petitioner has committed cheat with the informant as he had not disclosed the fact that he was already married with someone else prior to his marriage with the informant. He further submits that petitioner posted several inappropriate messages to the informant and made viral the same with an intention to harass her.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his/her arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Lakhisarai (Kawaiya O.P.) P.S. Case No.34



of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. The petitioner is agreed to keep paying Rs.5000/- per month to the O.P. No.2, as per the direction of the order dated 08.11.2023, till the disposal of the present case.

**(Anjani Kumar Sharan, J)**

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