

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.33578 of 2008
DHANANJAY KUMAR, SON OF MADHESHWAR SHARMA, RESIDENT
OF VILLAGE-HASANPURA, P.S.-SHAKURABAD, DISTRICT-
JEHANABAD.
Versus
THE STATE OF BIHAR

2 24.10.2008 Heard learned counsel for the
petitioner and learned counsel for the State.

Case is under Sections 323, 498A,
379 and 484 of the Indian Penal Code as well
as Section 3 and 4 of the Dowry Prohibition
Act.

Learned senior counsel for the
petitioner submits that on the very night of
the marriage it was detected by the
petitioner that the lady was eunuch and
incapable of co-habitation. Accordingly
divorce suit was filed, namely, Matrimonial
Case No. 22 of 2006 in the Court of District
Judge, Jehanabad which is still pending for
consideration. It is said that in retaliation
to the same this Complaint Case has been
filed. Petitioner is in custody since
19.5.2008. Learned Counsel for the petitioner
has produced a copy of the plaint of the said
Matrimonial Suit.

After going through the averments

made in the said plaint of the Matrimonial Suit, this application is allowed. Let petitioner, namely, Dhananjay Kumar be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Jehanabad in connection with Tr. No. 1329 of 2007/ Complaint Case No. 305 of 2006.

Arvind/

(J. N. Singh , J.)

