

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33463 of 2013

Arising Out of PS.Case No. -2043 Year- 2011 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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1. Kameshwar Sah @ Jhagroo Sah S/O Kishuni Sah Resident Of Village-
Yasufpur, P.S.- Lalganj, District- Vaishali.

..... Petitioner/s

Versus

1. The State Of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sudhir Singh
For the Opposite Party/s : Mr. Ram Priya Sharan Singh
For the Informant Mr. Arvind Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 24-12-2014 Supplementary affidavit is filed on behalf of the
petitioner.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State and learned
counsel for opposite party no. 2.

Petitioner is said to be husband of opposite party no. 2
and apprehends his arrest in connection with Complaint Case No.
C/2043/2011, corresponding to trial no. 3862 of 2012 in which
cognizance for the offence punishable under Sections 498A, 323,
354, 379 of the Indian Penal Code.

At the very outset, it is pointed out on behalf of the
petitioner that prior to filing of the present case the opposite party
no. 2 filed Complaint Case on 11.06.2010 against the petitioner

which was converted into Lalganj P.S.Case No. 232 of 2010 for the offences under Sections 498A, 323, 354, 379 of the Indian Penal Code and 3/4 of Dowry Prohibition Act. The above stated case was investigated by the police and after due investigation police submitted final form.

It would appear from perusal of the contents of the present complaint case that the date of occurrence is said to be 27.07.2011 and Annexure- 4, the photo stat copy of F.I.R of Lalganj P.S.Case No. 232 of 2010, reveals that much prior to 27.07.2011 the above stated case was lodged by the opposite party no. 2 against the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in Complaint Case No. C/2043/2011, corresponding to trial no. 3862 of 2012, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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