

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 19628 of 2014

Arising out of P. S. Case No. - 102 Year - 2013 Thana - PALIGANJ District - PATNA

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1. Raju Das, Son of Ujaran Das, R/o Village - Bharhariya English, P.S. - Paliganj, District - Patna

.... Petitioner

Versus

1. The State of Bihar

2. Puspa Devi, W/o Raju Das, Daughter of Buttan Das, R/o Village

.... Opposite Parties

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

6 20-04-2015

Heard learned counsel for the petitioner, the State

as well as the opposite party no. 2.

This is a petition for grant of anticipatory bail in a case under Section 498A of the Indian Penal Code.

There is allegation of demand of dowry and on non-fulfilment of the same, subjecting to cruelty. The petitioner is the husband of the opposite party no. 2.

Learned counsel for the petitioner submits that the petitioner is ready to keep the opposite party no. 2 with due dignity and honour. Though the notice has been issued to the opposite party no. 2 but none has appeared on her behalf.

Hence, having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on **provisional bail for three months** in the event of his arrest or surrender within a period of four

weeks from the date of receipt/production of a copy of this order on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Paliganj P.S. Case No. 102 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr. P. C. as well as the trial court shall inform the opposite party no. 2 and call her and if she is willing to reside with the petitioner and the petitioner takes her and keeps her with due dignity and on being satisfied that the petitioner has kept the opposite party no. 2 with due dignity and honour then shall confirm the bail bond but if the petitioner refuses to take the opposite party no. 2 then the trial court shall cancel his bail bond and issue process. However, if the opposite party no. 2 refuses to go for unreasonable reason then in that situation also the trial court shall confirm the bail bond of the petitioner with condition to appear on each and every date and proceed with the trial on day to day basis.

Kundan

(Gopal Prasad, J.)

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