

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12305 of 2015

Arising Out of PS.Case No. -241 Year- 2014 Thana -MAHILA P.S. District- BHOJPUR

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1. Harendra Yadav Son of Garjan Yadav Resident of Village - Balua
Majhauri, P.S. - Krishnagarh, District - Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Smt.Renu Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH
ORAL ORDER

4 26-08-2015 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

By way of filing an application under section 438 of
the Code of Criminal Procedure, the petitioner seeks anticipatory
bail in connection with Mahila P.S. Case No. 241 of 2014
registered for the offences punishable under sections 498-A read
with Section 34 of the Indian Penal Code and Sections 3 and 4 of
the Dowry Prohibition Act.

It has been contended that the petitioner is husband
of the informant. He has love and affection for his wife and
children. The marriage of the informant with petitioner took place
in the year 2004 and before filing the present case in the year
2014, there was no complain against the petitioner. There is no

truth behind the allegation that the petitioner ever demanded any dowry from the informant or her parents and the instant case has been instituted due to matrimonial discord and incompatibility.

On the other hand, learned counsel for the informant vehemently opposed the prayer for bail. He has submitted that the petitioner repeatedly demanded Rs. 50,000/- as dowry and for non-fulfillment of the same, he subjected the informant to cruelty. The efforts made before the Mediator to amicably resolve the dispute also went in vain.

Regard being had to the nature of the offence and the defence taken by the petitioner, in the event of arrest or surrender before the court below within six weeks from today, the petitioner named above is directed to 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 Sub-Divisional Judicial Magistrate, Bhojpur at Ara in connection with Mahila P.S. Case No. 241 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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