

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.19810 of 2015**

Arising Out of PS.Case No. -240 Year- 2014 Thana -PARWATTA District- KHAGARIA

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1. Bharatendu Harishchandra @ Harish Kumar Ray Son of Naresh Ray  
Resident of village- Dhourri, P.S.- Harpur, District- Munger  
..... Petitioner

Versus

1. The State of Bihar  
2. Chahat Priya @ Sapna Kumari, d/o Prahlad Mandal, resident of village  
Agvani, P.S. Parwatta, district Khagaria  
..... Opposite Partis

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**Appearance :**

For the Petitioner : Mr. Jai Kishor Poddar, Adv.  
For the State : Mr. Shyam Bihari Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD**  
**ORAL ORDER**

3      02-09-2015                      Heard the learned counsel for the petitioner and the  
State.

This is a petition for grant of anticipatory bail for  
offence under Sections 498A/34 of the Penal Code and 3 and 4 of  
the Dowry Prohibition Act.

There is allegation of demand and subjecting cruelty  
and the victim was driven out of the matrimonial home. The  
learned counsel for the petitioner, however, submits that the  
petitioner is ready to keep the victim-wife with due dignity.

Hence, having regard to the facts and circumstances of the  
case, the petitioner, above named, in the event of his arrest or  
surrender, within four weeks from the date of receipt of this order,  
is directed to be released on **interim anticipatory bail for four  
months** on furnishing bail bond of Rs.10,000/- (rupees ten  
thousand) with two sureties of the like amount each in connection  
with the Parbatta P.S. Case No. 240 of 2014 to the satisfaction of  
the Additional Chief Judicial Magistrate, Khagaria, subject to the  
condition laid down under Section 438(2) of the Criminal

Procedure Code. The Court, concerned, shall call the victim-wife and if the victim-wife is ready to go with the husband-petitioner and petitioner takes her and keeps her with due dignity, then, after four months, on being satisfied that both are living together, then, the trial Court shall confirm the provisional anticipatory bail or if the victim-wife, for any reason, not ready to live and files petition for right of residence against the husband-petitioner, then, the petitioner shall pay maintenance worth Rs.1500/- per month and the trial Court, on being satisfied that the maintenance is being paid, shall confirm the bail bond after four months.

**(Gopal Prasad, J)**

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