

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29369 of 2014

Arising Out of PS.Case No. -1169 Year- 2012 Thana -SAHARSA COMPLAINT CASE District-
SAHARSA

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1. Deepak Kamat S/o Laxmi Kamat
2. Urmila Devi W/o Deepak Kamat Both Resident of Village Chandrayan,
Police Station Nauhatta, District Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Buchai Kamat S/o Late Ravi Kamat Resident of Village Sihaul, Police
Station Bihra, District Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha

For the Opposite Party/s : Mr. Ram Anurag Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 12-01-2015 Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 323, 494, 498 A and 504 I.P.C.

Allegedly, petitioner no.1 being the husband of
daughter of the Complainant due to non fulfillment of further
demand of dowry tortured her and ultimately arranged second
marriage with petitioner no.2 and on 15.07.2012 tried to kill her
by strangulating her.

Submission at the bar for pre-arrest bail is that with
consent of daughter of the complainant marriage was solemnized
and the petitioner having no concerned from her arranged second

marriage.

The learned A.P.P. opposes the prayer for bail.

Considering that petitioner no.1 being husband arranged second marriage with petitioner no.2 after leaving the daughter of the complainant due to non fulfillment of demand of dowry by way of cash of Rs. 1,00,000/- and there is allegation of committing torturous act and as such this Court is not persuaded to grant pre-arrest bail to petitioner no.1. Accordingly, his such prayer stands rejected. But petitioner no.2 is the second wife of petitioner no.1 and against her there is no specific allegation and as such petitioner no. 2 Urmila Devi, in case of her arrest or surrender before the court below within two months, shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M. Saharsa in Complaint case No. 1169-C of 2012, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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