

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31397 of 2014

Arising Out of PS.Case No. -60 Year- 2013 Thana -MAHILA P.S. District- BHOJPUR

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1. Raju Bhagat @ Rajesh Bhagat son of Kanhaiya Bhagat resident of
village - Sono Bazar, Police Station - Sono, District - Jamui
.... Petitioner

Versus

1. The State of Bihar
2. Rinki Devi @ Guriya daughter of Sri Ajay Kumar Prasad resident of
mohalla - Pakri Ara, P.S. Ara Nawada, District - Bhojpur, at Ara
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ramchandra Singh, Adv.
For the Opposite Party : Mr. Dr.M.K. Gautam (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

2 21-01-2015 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.
The learned counsel for the petitioner 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 **provisional 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 **Mahila P.S. Case No. 60 of 2013** to the satisfaction of the
Subdivisional Judicial Magistrate, Bhojpur at Ara, 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.1200/- 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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