

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12881 of 2015

Arising Out of PS.Case No. -62 Year- 2014 Thana -KEOTI District- DARBHANGA

1. Raja Sah Son of Sri Mahendra Sah Resident of village- Khirma Pathra,
P.S.- Keoti, District- Darbhanga (Bihar)

.... Petitioner/s

Versus

1. The State of Bihar

2. Sabri Devi wife of Raja Sah & Daughter of Sri Lal Babu Sah, Resident of
village- Khirma Pathra, P.S.- Keoti, District- Darbhanga, at present residing
at Village- Chakka Pirdi, P.S.- Bahadurpur (Fekla O.P.), District-
Darbhanga (Bihar).

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Adv.

For the State : Mr. Anuradha Singh (App)

For Opposite Party No.2 : Mr. Ratan Kumar Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 12-08-2015

Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the opposite party
no.2.

The petitioner seeks anticipatory bail in connection
with Keoti P.S. Case No. 62 of 2014 registered for the offences
punishable under sections 147, 341, 323, 379, 498-A of the Indian
Penal Code as well as sections 3 and 4 of the Dowry Prohibition
Act.

It has been contended that there is no truth behind
the allegations made in the FIR. As a matter of fact, the informant
of the case out of her own sweet will left the matrimonial home.
The petitioner made all efforts to bring her back but she declined
to come back to her matrimonial home and being left with no

option the petitioner filed a matrimonial case for restitution of conjugal rights on 04.01.2014 and thereafter the instant complaint case was filed on 09.04.2014, which was referred to the police under section 156(3) of the Code of Criminal Procedure for institution of the FIR, pursuant to which the FIR was instituted on 06.06.2014.

Learned counsel for the opposite party no.2 has vehemently opposed the prayer for bail. He has submitted that the petitioner not only subjected the informant to cruelty for non-fulfillment of demand of dowry, but also ousted her from the matrimonial home.

Be that as it may, regard being had to the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, the petitioner Raja Sah 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, Darbhanga in connection with Keoti P.S. Case No. 62 of 2014, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Pradeep/-

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