

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49668 of 2014

Arising Out of PS.Case No. -1398 Year- 2012 Thana -BEGUSARAI COMPLAINT CSAE District-
BEGUSARAI

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Amarnath Rai @ Amarnath Ray S/o Pavitra Rai R/o village- Gopalpur
(Masjid Tola), P.S.- Kalyanpur, District- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Naresh Singh

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-04-2015 The petitioner is apprehending his arrest in connection
with Complaint Case No. 1398 C/2012 instituted for the offences
under Sections 498(A), 323 . 379 and 34 of the Indian Penal
Code and Section 4 of the Dowry Prohibition Act.

Heard leaned counsel for the petitioner and learned
A.P.P. for the Sate.

The prosecution story in brief is that the marriage of
the complainant Kabita Devi was solemnized with the petitioner
Amarnath Rai on 20.5.2009 according to Hindu rites and rituals
and at the time of marriage, the parents of the complainant gifted
Rs. 25,000/- cash, ornaments and other valuable items, according
to their capacity. After some days of marriage, the petitioner and
other in-laws started torturing her for Rs. 50,000/- . The demand

was not fulfilled by her parents, then all the accused persons started to assault the complainant and they also locked the complainant in a room and on 11.6. 2012 at about 11 A.M. accused persons ousted the complainant from the house. The father of the complainant and witnesses persuaded the accused persons and kept the complainant in her matrimonial home but they again started torturing and brutally assaulted the complainant and forcibly took R.T.I of the complainant in blank paper and on the basis of this blank papers, the petitioner filed divorce petition in the Family Court, Samastipur.

It is submitted on behalf of the petitioner that the petitioner is ready to keep his wife with full dignity and honour. Further, it has been submitted that general and omnibus allegation has been made against the petitioner for demand of dowry for an amount of Rs. 50,000/-. It is also submitted that the petitioner is a daily wages labourer.

Learned counsel for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let above named petitioner, in the event of his arrest/surrender in the court below within four weeks, 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 learned S.D..J.M., Begusarai in connection with Complaint Case No. 1398 C/2012 , subject to the conditions, as laid down u/s 438(2) Cr.P.C. with a direction that the petitioner shall deposit an amount of Rs. 1500/- per month before the court below and the learned Court below shall release the same in favour of the petitioner.

(Sudhir Singh, J)

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