

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22589 of 2015

Arising Out of PS.Case No. -116 Year- 2014 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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1. Rakesh Rai Son of Ram Nath Rai Resident of Village- Rajapur, P.S.
Simari, District Buxar

.... Petitioner/s

Versus

1. The State of Bihar.
2. Pratibha Devi wife of Rakesh Rai Resident of Village- Rajapur, P.s
Simari, district Buxar At present Daughter of late Dayanand Pandey
Resident of Village Halwapatti Simari, Ps Simari, District Buxar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra
For the Opposite Party/s : Mr. Nand Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-05-2015 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner being husband of the opposite party no. 2

apprehends his arrest in connection with Complaint Case No. 116-
C of 2014 in which cognizance has been taken for the offences
punishable under Section 498A of the Indian Penal Code and
Section 4 of Dowry Prohibition Act.

It appears from perusal of the impugned order that

learned Sessions Judge had taken pain to patch up the dispute of
the parties but opposite party no. 2 flatly refused to lead her
conjugal life with the petitioner on the ground of impotency of the

petitioner as well as his torturous behaviour. The complaint petition does not disclose any specific overt-act of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Buxar in Complaint Case No. 116-C of 2014 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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