

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51874 of 2015

Arising Out of PS.Case No. -134 Year- 2015 Thana -MAHILA P.S. District- BHOJPUR

Ramesh Yadav

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiva Ranjan

For the Opposite Party/s : Mr. L.K.Sharma(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in case registered for the offences punishable under Sections 323, 498A and 494/34 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of the dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner disputes the factum of marriage with the informant.

In the circumstances, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each

to the satisfaction of learned SDJM, Ara, Bhojpur in connection with Bhojpur Mahila P.S. Case No. 134 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Let the learned court below conduct an enquiry with regard to factum of marriage between the petitioner and the informant and if the learned court below comes to the conclusion that the petitioner has never been married with the informant then the provisional bail of the petitioner will be confirmed by learned court below but if the learned court below comes to the conclusion otherwise then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

Amrendra/-

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