

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17798 of 2015

Arising Out of PS.Case No. -703 Year- 2013 Thana -PHULWARI District- PATNA

Vivek Pandit @ Vivek Kumar S/o Late Anuj Pandit Resident of
Village- Bocha-chak, Ps.- Phulwari ,District- Patna

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 09-06-2015

The petitioner is the husband apprehends

his arrest in relation to Phulwari P.S. Case No. 703/2013
registered under Sections 498(A) of the Indian Penal
Code and 4 of the Dowry Prohibition Act.

Learned counsel for the petitioner draws
attention of this Court to the fact that in the First
Information Report at one place the allegation is that
there was a demand of dowry and consequently torture.
The informant then mentioned that the husband is having
adulterous relationship with another, so, she do not want
to go with the petitioner.

It is submitted that informant herself is not
clear as to what is the reason. This would show that
Section 498(A) is not applicable. Learned Sessions
Judge has also noted that the wife is not ready to return

the matrimonial home.

Be that as it may, in the event of their arrest/surrender before the court below within four weeks, let the petitioner, namely, Vivek Pandit @ Vivek Kumar, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Patna, in connection with Phulwari P.S. Case No. 703/2013, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

Rajeev/-

(Navaniti Prasad Singh, J.)

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