

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.43951 of 2014

Arising Out of PS.Case No. -40 Year- 2013 Thana -BARAULI District- GOPALGANJ

Rabindra Sah Son of Ramjit Sah Resident of Village - Usari Bazar, P.S. -
Baikunthpur, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rani Devi W/o Rabindra Sah, Daughter of Omprakash Sah Reidence of
Village - Usari Bazar, P.S. - Baikunth pur, District - Gopalganj, Present
address D/o - Omprakash Singh, Village - Usaribazar, P.S. -
Baikunthpur, District - Gopalganj.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sushil Kumar

For the Opposite Party/s : Mr. Ansuiya Jaiswal(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

03/ 06-04-2015

Heard learned counsels for the petitioner and the
State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 498A, 323, 379, 494, 504,
120B of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-

fulfillment of the dowry demand and performing second marriage.

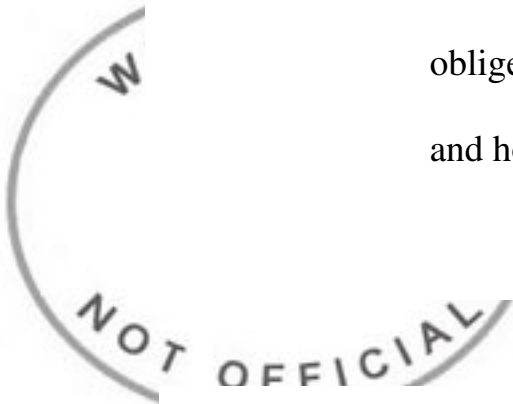
Notices were issued to the informant-opposite party no. 2 vide order dated 17.12.2014 on submission of learned counsel for the petitioner that the petitioner is ready to keep the informant as wife with full dignity and honour. Statement to that effect has been made in para 11 of the petition, which reads as follows:- **“That the petitioner is ready to keep her full dignity and honour.”** Further statement was made that the petitioner has not performed second marriage. The petitioner is present in the Court and he submits that he has not performed second marriage.

The office note dated 03.04.2015 reflects that in spite of valid service of notice O.P. No. 2 is not appearing.

Considering the present stand of the petitioner, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Barauli P.S. Case No. 40 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The grant of bail to the petitioner will not preclude

the informant to resume conjugal life. If she files such an application before the learned court below, the petitioner will be obliged to take the informant to keep her as wife with full dignity and honour.



(Dinesh Kumar Singh, J)

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