

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38356 of 2015

Arising Out of PS.Case No. -25 Year- 2010 Thana -NARAINPUR District- BHOJPUR

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1. Santosh Singh Son of Dipti Singh resident of Village-Narayanpur Police Station -Narayanpur,district Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sarita Devi wife of Santosh Singh, Daughter of Ram Nivash Singh resident of Village-Narayanpur Police Station -Narayanpur,district Bhojpur. At present Village- Dokariya, Police Station -Barhara, District Bhojpur.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madan Jeet Kumar

For the Opposite Party/s : Mr. Smt.Shahin Begum(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-08-2015 Heard learned counsels for the petitioner and the State.

Petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

It is submitted by learned counsel for the petitioner that informant has performed marriage with one Subhash Singh, son of Brij Singh and with the second marriage the informant has a child also. A certificate to that effect has been issued by the Sarpanch of gram kutchery Ekwana. The

said certificate has been brought on record by way of supplementary affidavit.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on provisional anticipatory bail for six months on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur in connection with Narayanpur P.S. Case No. 25 of 2010, Trial No. 1287 of 2010, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The provisional anticipatory bail of the petitioner will be confirmed by learned Court below on verification of the fact that informant has performed second marriage.

(Dinesh Kumar Singh, J)

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