

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20107 of 2016

Arising Out of PS.Case No. -158 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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1. Raju Pandit @ Ajay Pandit Son of Uma Shankar Pandit Resident of
village - Itwa, P.S. Sahpur, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Sita Devi Wife of Ajay Kumar Pandey Resident of village - Sandesh,
P.S. Sandesh, District - Bhojpur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta

For the Opposite Party/s : Mr. Ahmad Ali(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

3 05-09-2016 In view of the office note dated 2.9.2016, since the O.P.

No. 2 after receiving notice, refused to acknowledge the same, the

notice issued to O.P. No. 2 be treated as deemed valid service.

Heard learned counsels for the petitioner and the State.

The petitioner being husband of the informant is

apprehending arrest in a case registered for the offences

punishable under Sections 323,324 and 498A/34 of the Indian

Penal Code and sections 3 and 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of

dowry demands and making assault.

Learned counsel for the petitioner submits that the

petitioner admits his marriage with the informant and is ready to

keep her with full dignity and honour. Statement to that effect has been made in paragraph 10 of the petition which reads as follows:

“That, the Petitioner is still ready to keep her with full honour and dignity.”

Considering the present stand of the petitioner and the fact that informant refused to appear in spite of service of notice, let the above named petitioner be released on anticipatory bail 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 Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bhojpur at Ara in connection with Mahila P.S. Case No.158 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The present order will not preclude the informant to resume conjugal life. In case she files such application before the learned court below then the learned court below will issue notice to the petitioner to appear when the petitioner will be obliged to comply the undertaking given before this court.

(Dinesh Kumar Singh, J)

Anil/-

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