

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38635 of 2016

Arising Out of PS.Case No. -7 Year- 2013 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Chandan Kumar son of Sri Ram Shankar Singh Resident of Village- Jarang
Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali.

.... Petitioner/s

Versus

1The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Malay Kumar Choudhary, Advocate.
For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH
ORAL ORDER

3 14-09-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner being the husband of the informant is
languishing in custody since 2.8.2016 in a case registered for the
offences punishable under Sections 498A and 120B of the Indian
Penal Code and Section 34 of the Dowry Prohibition Act.

Accusation is of torture for non-fulfillment of dowry
demand.

It is submitted by learned counsel for the petitioner that
the petitioner was granted provisional anticipatory bail vide order
dated 11.11.2013 by this Court passed in Cr. Misc. No. 22493 of
2013, on assurance that he will keep the informant as wife with
full dignity and honour. The provisional anticipatory bail was to

be confirmed by the learned court below on substantial restoration of matrimonial harmony within a period of one year or if the informant fails to appear subsequently before the learned court below or if the informant gets reluctant to reconcile the issue.

Counsel for the informant submits that the petitioner was granted provisional anticipatory bail on assurance that he will keep the informant with full dignity and honour but he failed to do so and has performed second marriage.

Considering the nature of accusation and there is no likelihood of issue being reconciled, let the petitioner be released on bail 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, Vaishali at Hajipur in connection with Vaishali (Belsar O.P) P.S. Case No. 7 of 2013.

(Dinesh Kumar Singh, J)

Prakash/-

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