

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39951 of 2016

Arising Out of PS.Case No. -79 Year- 2014 Thana -MAHILA P.S. District- BHAGALPUR

Niraj Singh, son of Ram Singh @ Rama Shankar Singh, resident of village
Belbadda, P.S. Meharna, district Godda (Jharkhand).... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shiwesh Chandra Mishra, Adv.

For the Opposite Party : Mr. Mritunjay Kumar Nirala, APP 109

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

ORAL ORDER

2 19-09-2016

The petitioner, being the husband of the informant apprehending arrest in a case registered under Sections 498A, 379, 506 and 34 of the Indian Penal Code and 3 and 4 of the Dowry Prohibition Act.

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

The learned counsel for the petitioner submits that the petitioner admits his marriage with the informant, but, the informant after the marriage with the petitioner eloped with one Ranjan Kumar leading to registration of Kotwali (Tarapur) P.S. Case No. 652 of 2011 under Section 366A/34 of the Indian Penal Code by the father of the informant against Ranjan Kumar wherein charge sheet has been submitted on 30.09.2011. It is, further, submitted that statement under Section 164 of the Criminal Procedure Code has been recorded in Kotwali (Tarapur) P.S. Case No. 652 of 2011 and the informant has admitted her elopement with Ranjan Kumar, with whom she was in love since last two years and she was not living with the petitioner for last two years and used to reside with Ranjan Kumar. It is, further, submitted by the learned

counsel for the petitioner that even today the petitioner is ready to keep her with full dignity and honour. Statement to the aforesaid effect has been made in paragraph no. 13 of the petition, which reads as follows :

“That in spite of that the petitioner was/is always ready to keep his wife with love and affection by maintaining as a noble husband by leading conjugal life.”

Considering the conduct of the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, he be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Bhagalpur Mahila P.S. Case No. 79 of 2014 to the satisfaction of Sri Md. Shamim, Subdivisional Judicial Magistrate, Bhagalpur, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Dinesh Kumar Singh, J)

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