

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38786 of 2016

Arising Out of PS.Case No. -288 Year- 2015 Thana -SITAMARHI COMPLAINT CASE District-
SITAMARHI

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1. Hari Shankar Kumar Son of Sunil Sah @ Nepali Sah, Resident of
Vilage Pupri, P.S. Pupri, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Kumari Wife of Hari Shankar Kumar, Resident of village-
Pupri, P.S. Pupri, District- Sitamarhi, at present Daughter of Late
Kailash Sah Resident of Village Ram Nagara, P.S. Riga, District-
Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Sri Surendra Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-09-2016 The petitioner being husband of the complainant is languishing in custody since 12.07.2016 in a complaint case wherein processes were directed to be issued after cognizance being taken 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 petitioner admits his marriage with the complainant but the matrimonial harmony got disturbed due to the latches on the part of the complainant.

It appears that the petitioner was granted

provisional anticipatory bail vide Cr. Misc. No. 15122 of 2016 by this Court on the readiness of the petitioner to keep the complainant with dignity and honour but the petitioner failed to comply the undertaking given before this Court.

It is further submitted by learned counsel for the petitioner that at present the petitioner is not in a position to give any undertaking to keep the complainant.

Considering the nature of accusation, let the petitioner, above named, 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, Pupri at Sitamarhi in connection with Complaint Case No. 288 of 2015.

The bail bonds of the petitioner will be accepted on filing affidavit to the effect that petitioner will cooperate in the investigation. Two consecutive defaults in appearance before the trial will give liberty to the prosecution to cancel the bail bonds to the petitioner.

Shageer/-

(Dinesh Kumar Singh, J)

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