

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26478 of 2016

Arising Out of PS.Case No. -399 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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Santosh Sah, son of Sri Prakash Sah, resident of village- Chak Gopal Hemra Road, Near FCI Godown, Police Station-Begusarai Mufassil in the district of Begusarai

.... Petitioner

Versus

1. The State of Bihar
 2. Neha Priya, wife of Santosh Sah and daughter of Sri Jagdish Shah, resident of village- Bhagat Tola, Mathurapur, Police Station-Khagaria, in the district of Khagaria
- Opposite Parties
- =====

Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Sri Nityanand

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 30-06-2016

Heard Sri Bimal Kumar, learned counsel for the petitioner, Sri Nityanand, learned Addl. Public Prosecutor as well as Sri Rajesh Kumar, learned counsel, who has voluntarily appeared on behalf of the informant/Opp.Party no.2.

The sole petitioner, who is husband of the informant, apprehending his arrest in Khagaria P.S. Case no.399/2015 registered for the offence under Sections 341, 323, 498, 406/34 of the Indian Penal Code and Sections 3 and 4 of the Dowry Prohibition Act, has prayed for grant of anticipatory bail.

Learned counsel for the petitioner submits the marriage of the petitioner with Opp.Party no.2 was solemnized in the year 2007. Subsequently, there was no complaint. However at much belated stage, some dispute arose and thereafter the present

F.I.R. was lodged. Subsequently, due to intervention of villagers, the dispute was settled in between the parties and thereafter, Opp.Party no.2 was taken to her in-laws house.

Learned counsel appearing on behalf of the informant/Opp.Party no.2 admits that Opp.Party no.2 is residing in her in-laws house, but she complains that the petitioner being husband is residing outside and is not sending anything for maintenance of the informant.

Since it has not been disputed that the informant is residing in her in-laws house, only on the ground that the petitioner is not sending money for her maintenance, the prayer for grant of anticipatory bail of the petitioner may not be refused. Accordingly, let the petitioner, namely, Santosh Sah, in the event of his arrest or surrender within six weeks from today, be enlarged 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 Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case no.399/2015, subject to condition as laid down in Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J)

NKS/-

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