

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49092 of 2016

Arising Out of PS.Case No. -434 Year- 2016 Thana -SITAMARHI District- SITAMARHI

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Pramod Baitha son of Maheshwar Baitha resident of Village- Hathsar, P.S.-
Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rubi Devi wife of Pramode Baitha, D/o Dilip Baitha resident of Village
Punaura, Purbi Virtha Tola, Ward No.13, P.S. Sitamarhi, District-
Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shankar Kumar

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 15-12-2016 Heard Sri Shankar Kumar , learned counsel for the

petitioner , Sri Mithilesh Kumar Khare , learned Additional

Public Prosecutor as well as Sri Santosh Kumar, learned counsel

who has voluntarily appeared on behalf of the informant/ opposite

party no. 2.

The petitioner, husband of informant /opposite party no.
2 apprehending his arrest in Sitamarhi (Punaura O.P.) P.S. Case
No. 434 of 2016 , G.R. No. 2095 of 2016 registered for offence
under Sections 498(A), 323, 379, 504 of the Indian Penal Code
and Section 3 and 4 of the Dowry Prohibition Act has prayed for
grant of bail in the event of his arrest or surrender.

At the very outset by way of referring to the statement



made in paragraph no. 7 of the present petition learned counsel for the petitioner submits that petitioner is ready to keep his wife with his children with love and affection.

Sri Santosh Kumar, learned counsel for the informant on instruction submits that informant is ready to reside with her child and husband with the family of the petitioner. Learned counsel for the informant also submits that the informant will live with the petitioner and his parents also.

In view of submission made by learned counsel for the parties, there is no reason to refuse privilege of anticipatory bail. Accordingly in the event of arrest or surrender within a period of six weeks from today, let the petitioner Pramod Baitha be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi / concerned court in connection with Sitamarhi (Punaura O.P.) P.S. Case No. 434 of 2016 subject to the conditions as contemplated under section 438(2) of the Code of Criminal Procedure 1973.

It is made clear that privilege of anticipatory bail has been granted to the petitioner on undertaking being given on his behalf that petitioner will keep his wife and children with



respect and dignity. Accordingly it is made clear that if at subsequent stage the informant is administered any torture by the petitioner in that event the informant would be at liberty to file mentioning slip before this court, in that event, this court may recall this order.

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(Rakesh Kumar, J)

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