

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 21069 of 2016

Arising Out of PS.Case No. -158 Year- 2015 Thana -GOPALPUR District- PATNA

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Ram Ayodhya Singh @ Pokhraj Singh Son of Ram Ugrah Singh Resident
of Village- Chakbairiya, PS- Gopalpur , District Patna.

.... Petitioner

Versus

1. The State of Bihar.

2. Madhu Devi D/o Sri Bhagwan Singh Resident of Village- Barki Kharao,
PS- Sahar, District Bhojpur , At present residing at Mohalla- Namkum, PS
Namkum, District Ranchi (Jharkhand).

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Md. Khurshid Alam

For the State : None

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR

ORAL ORDER

6 16-12-2016

Heard Mr. Md. Khurshid Alam, learned counsel for

the petitioner. None appeared on behalf of State.

The petitioner, husband of informant/opposite party
no. 2, apprehending his arrest in Gopalpur P.S. Case No. 158 of
2015 registered for offence under Section 498(A) of the Indian
Penal Code and Sections 3 & 4 of the Dowry Prohibition Act,
1961, has prayed for grant of bail in the event of arrest or
surrender.

In this case, by order dated 16-05-2016, while
directing for issuance of notice to opposite party no. 2, on the
submission made by learned counsel for the petitioner that
petitioner, being husband, was ready to keep the informant with
full dignity and honour, this Court had also directed not to take
any coercive step against the petitioner. Despite valid service of



notice, the informant has preferred not to appear in this case. Meaning thereby that informant is not at all interested to settle the dispute.

Learned counsel for the petitioner submits that it is true that petitioner is husband of the informant and he is working for his livelihood in Delhi and this is the reason that the wife of the petitioner does not want to live with him.

Keeping in view the nature of accusation as well as the fact that informant, despite valid service of notice, has preferred not to appear, there is no reason to refuse the prayer for grant of anticipatory bail.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the petitioner namely Ram Ayodhya Singh alias Pokhraj Singh 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 Smt. Ragini Kumari, Judicial Magistrate 1st Class, Patna in connection with Gopalpur P.S. Case No. 158 of 2015, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rakesh Kumar, J.)

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