

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29946 of 2016

Arising Out of PS.Case No. -594 Year- 2014 Thana -BETTIAH TOWN District-
WESTCHAMPARAN(BETTIAH)

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Rakesh Ranjan @ Raja Son of Sri Jagdish Prasad Resident of Village
Miscaut, Gyan Babu Chowk, P.S. Town, District Motihari (East
Champan)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Smt. Sahin Begam (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

3 03-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is languishing in jail since 04.04.2016 in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that that the petitioner admits his marriage with the informant and birth of a child. Though, the petitioner was granted provisional anticipatory bail vide order dated 17.04.2015 passed in Cr. Misc. No. 15933 of 2015 but the provisional bail of the petitioner could not be confirmed due to laches on the part of the complainant. The

investigation has already concluded.

It is submitted by the learned counsel for the informant that the provisional bail of the petitioner could not be confirmed since petitioner did not comply the undertaking given before this Court and the informant is still ready to resume the conjugal right. Moreover, the petitioner may be directed to appear in the maintenance proceeding and in the present case.

Considering the nature of accusation and the investigation has already concluded, let the above named petitioner 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 the learned SDJM, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 594 of 2014.

The learned court below will be at liberty to cancel the bail bonds of the petitioner if the petitioner defaults for three consecutive occasions in the present proceeding or in the maintenance.

(Dinesh Kumar Singh, J)

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