

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58568 of 2015

Arising Out of PS.Case No. -3215 Year- 2014 Thana -VAISALI COMPLAINT CASE District- -

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1. Rahul Singh @ Rahul Kumar Son of Basudeo Singh R/o Village
Singhara, P.S. Mahua, District Vaishali

.... Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi Wife of Shri Rahul Singh , D/o Sri Nageshwar Singh
Present Address - Village Asma, P.S. Patepur, District Vaishali, Hajipur

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr.

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 04-01-2016 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken under Section 498A of the Indian Penal Code and section 4 of Dowry Prohibition Act.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and filed Matrimonial Suit No. 23 of 2015 for restitution of conjugal rights. The petitioner is still ready to keep the complainant as wife

with full dignity and honour. Statement to that effect has been made in paragraph 9 of the petition, relevant portion of which reads as follows:

“.....the petitioner has always been ready and willing to live with the complainant with dignity and honour.....”

It is further submitted that in the matrimonial suit the complainant appeared and refused to reside with the petitioner. It is claimed by the petitioner that the complainant performed second marriage and a certificate to that effect has been issued by the Panchayat representative.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Vaishali at Hajipur in connection with Complaint Case No. 3215 of 2014 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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