

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30375 of 2016

Arising Out of PS.Case No. -72 Year- 2015 Thana -SAHPUR District- PATNA

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1. Raju Ray @ Raju Rai son of late Ram Ekbal Ray, R/O village-Shekhuchak, Mathiyapur Thana- Shahpur District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi wife of Raju Ray, D/o Hari Nandan Ray, R/O village-Shahpur, P.S. Shahpur, District- Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Amrendra Prasad

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 22-02-2017

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 498A, 323, 504, 379 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

The petitioner was granted provisional anticipatory bail for one year vide order dated 30.07.2015 passed in Cr. Misc. No. 30251 of 2015 on the undertaking of the petitioner that he is ready to keep the informant as wife with full dignity and honour. The learned court below was supposed to



issue notice to the informant for her appearance. On her appearance, the petitioner will take the informant to keep her as wife with full dignity and honour.

The provisional bail was to be confirmed by the learned court below in three eventualities (i) if the matrimonial harmony is substantially restored (ii) if the informant fails to appear before the learned court below or (iii) if the informant gets reluctant to reconcile the issue.

It appears that the period of provisional bail of the petitioner lapsed on 29.07.2016 but, in the meantime, the second anticipatory bail application has been preferred without bringing any document on the record to the effect that the petitioner had made effort to comply the undertaking given before this Court.

It is submitted by learned counsel for the petitioner that the petitioner and the informant are residing together.

In the circumstances, let the learned court below consider the prayer for bail of the petitioner, if the petitioner surrenders before the learned court below within a period of six weeks from today in connection with Shahpur P.S. Case No. 72 of 2015 pending in the court of learned Judicial



Magistrate, Ist Class, Danapur, Patna.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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