

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3004 of 2017

Arising Out of PS.Case No. -309 Year- 2016 Thana -GARKHA District- SARAN

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Raj Kumar Rai Son of Hardeo Rai Resident of Village- Pohiyan, P.S.-
Garkha, District- Saran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Kumar Singh, Advocate

For the Opposite Party : Mr. Nawal Kishore Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-02-2017 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in Garkha P.S.

Case No. 309 of 2016 instituted for the offence under Section

498A/34 of the Indian Penal Code and Section 3/4 of the Dowry

Prohibition Act.

It has been submitted on behalf of the petitioner that

the matter has been compromised between the parties and

compromise petition has also filed in the court below. The

petitioner is husband of the informant.

In such circumstances, this anticipatory bail petition

is disposed of with a direction that petitioner surrender in the court

below along with compromise petition and in that event, if the



court below is satisfied that both parties have compromised, then court below will enlarge the petitioner on provisional bail for six months and monitor the relationship between the husband and wife and in the event the court below finds that they are living peacefully as husband and wife, the court below will confirm the provisional bail of the petitioner.

It is made clear that in the event the court below is not satisfied that compromise has taken place between the parties and wife makes complain about physical and mental torture committed by the petitioner during period of monitoring the court below will be at liberty to pass appropriate order in accordance with law without taking into consideration the aforesaid observation of this Court.

(Sanjay Priya, J.)

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