

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6484 of 2019

Arising Out of PS. Case No.-158 Year-2016 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Santosh Kumar Rai @ Santosh Rai, S/o of Ram Kumar Rai, Resident of
Village - Chakhabib

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinki Devi, D/O Chandeshwar Rai, R/o At-Maihisi, P.S.- Bibhutipur,
District - Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 27-06-2019 This is an application for grant of anticipatory bail in

connection with C.R. No.158 of 2016, T.R. No. 2317 of 2018,

disclosing offences under Sections 323, 498A of the Indian

Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation as per complaint petition against the
petitioner is that the complainant was subjected to cruelty and
harassment and further allegation of demand of dowry and
finally ousted her from the house.

Submission of learned counsel for the petitioner is
that he is ready to keep her with dignity and care but the
opposite party no.2 is not ready to reside with the petitioner.

Heard learned A.P.P. as well as learned counsel for the



opposite party no.2 also, who has submitted that as the petitioner is living with another lady and he has one son from the said lady. Further submission is that she is not ready to reside with the petitioner. However, the opposite party no.2 has filed a maintenance case, as he has not paid any single penny to her. The opposite party no.2 has a daughter also and for that she has filed that maintenance case before, but up till now, petitioner has not paid any single penny, even petitioner has not appeared in that maintenance case. He is working as a labourer.

Having heard both sides, considering the aforesaid facts and circumstances, as stated above, this application is disposed of with the direction that the petitioner, above named, is directed to surrender before the court below by 09.07.2019 and if petitioner is ready to pay Rs.3000/- per month to the opposite party no.2, for a period of one year and the petitioner shall appear in the Maintenance Case no. 70 of 2016 and he shall file a certificate to that effect before the court below, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned S.D.J.M., Rosera, in connection with C.R. No.158 of 2016, T.R. No. 2317 of 2018, subject to the condition laid down under Section 438(2) of the



Code of Criminal Procedure, but the aforesaid payment shall be subject to any order passed in the above maintenance case either interim or final order.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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