

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7831 of 2019

Arising Out of PS. Case No.-346 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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Nitish Kumar Rai @ Nitish Kumar (M), aged about 28 years, S/o Kismat Rai,
resident of village – Khewali, P.S. - Murai, District – Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shanti Devi (F), aged about 26 years, W/o – Nitish Kumar, D/o –
Lalbahadur Rai, resident of village – Mukunddera, P.S. - Nawanagar, Present
Address – Village – Khirauli, P.S. - Dumraon, District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Yadav
For the Opposite Party/s : A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 05-04-2019 Heard Sri Ramakant Yadav, learned counsel for the
petitioner and learned Additional Public Prosecutor.

The sole petitioner, apprehending his arrest in
connection with Complaint Case No. 346 (C) of 2016 registered
for the offence under Section 498(A), 323, 504 of the Indian
Penal Code, 1860 and Section 3/4 of the Dowry Prohibition Act ,
has prayed for grant of bail in the event of his arrest or
surrender.

Despite the fact that complainant in view of order
dated 13.02.2019 has appeared through her counsel , at the time
of hearing, none appeared on her behalf.

Learned counsel for the petitioner submits that



opposite party no. 2 / wife of the petitioner one way or the other wanted to get some land executed in her favour and since it was not done she left her in-laws house and started to live with her parents. The petitioner has also filed a case for restitution of conjugal rights.

Besides hearing, I have also perused material on record particularly the order which is in detail and after going through the same, I am of opinion that it is a fit case for extending the privilege of anticipatory bail.

Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner Nitish Kumar Rai @ Nitish Kumar be enlarged on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate at Buxar / concerned court in connection with Complaint Case No. 346 (C) of 2016 subject to the conditions as contemplated under Section 438 (2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J)

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