

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43828 of 2019

Arising Out of PS. Case No.-1308 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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SAURAV KUMAR aged about 32 years, Male, Son of Maheshwari Yadav
Resident of Village - Nirmal Bigha, P.S.- Muffasil, Distt - Nawada.

... .. Petitioner/s

Versus

1. THE SATE OF BIHAR
2. Shobha Devi, aged about 30 years, Female, D/o Ram Swaroop Yadav
Resident of Village - Meyapur, P.S.-Akbarpur, Distt - Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Md. Musowir, Advocate
For the Opposite Party/s	:	Mr.Sanjeev Kr. Sinha, Advocate
		Mr. Sudhir Kr. Sinha, Advocate
For the State	:	Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 25-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is seeking anticipatory bail in connection with Complaint Case No. 1308/2017 registered under Sections 498A, 323 of the Indian Penal Code and $\frac{3}{4}$ of the D.P. Act.

Petitioner happens to be the husband of complainant-opposite party no. 2. There are allegation that this petitioner had been demanding dowry and on non-fulfillment of the said demand the complainant-opposite party no. 2 was being tortured and she has been thrown out of her matrimonial home.



Learned counsel for the petitioner submits that the petitioner is presently posted in the State of Odissa and he has instruction to say that during Puja Festivals he will go to the Maikhe/house of the complainant-opposite party no. 2 and bring her back to the matrimonial home where she will be allowed to live with full dignity and care.

Learned counsel for the complainant-opposite party no. 2 submits that if the petitioner visits the Maikhe/house of the complainant-opposite party no. 2 during Puja Festivals from 5th October 2019 to 8th October, 2019, she will accompany him and will go to the matrimonial home with the petitioner.

Learned counsel has, on instruction, given an undertaking that the petitioner will definitely keep the complainant-opposite party no. 2 with himself and wherever he will be posted, she will live with him.

In the aforementioned circumstance taking note of the submissions of the parties, let the petitioner above-named, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Nawada, in connection with Complaint Case No. 1308/2017,



subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure with aforesaid undertaking which has been given by the petitioner before this court.

In case, petitioner fails to abide by his undertaking and other conditions it will be open for the complainant-opposite party no. 2 to take appropriate steps for cancellation of bail.

The application stands disposed off accordingly.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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