

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43245 of 2019

Arising Out of PS. Case No.-195 Year-2019 Thana- TURKAULIYA District- East
Champaran

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RAMESH KUMAR SINGH Son of Sri Chandeshwar Singh Resident of
Village- Gamhariya, P.S.- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Jyoti Devi Daughter of Sri Rohit Singh Resident of Village- Gaddupur, P.S.-
Harsidhi, P.O.- Kritpur, District- East Champaran, Motihari.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s :	Mr.Vivekanand Vivek
For the Opposite Party/s :	Mr.Yogendra Kumar Singh
	Mr. Vijay Shankar Srivastava
	Mr. Nisha Verma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

4 30-09-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Turkauliya (Banjariya) P.S. Case No. 195 of 2019, disclosing
the offence under Sections 498-A, 341, 323, 354 of the Indian
Penal Code and Sections 3/4 of the Dowry Prohibition Act.

Petitioner is the husband of opposite party no. 2.
Learned counsel appearing on behalf of the petitioner has
submitted that allegation of demand of dowry and torture, as
made in the FIR, is false and it is because of the matrimonial
dispute between the petitioner and the informant that the same
has been lodged.

Learned counsel appearing on behalf of opposite party



no. 2, the informant, has vehemently opposes the prayer for anticipatory bail and has submitted that considering the serious nature of allegation of torture meted out to the informant at the hands of the petitioner and the informant's in-laws, the petitioner does not deserve privilege of anticipatory bail. She has further submitted that question of reconciliation does not arise considering the conduct of the petitioner.

However, considering the facts and circumstances of the case and the fact that matrimonial dispute between the petitioner and opposite party no. 2 appears to be one of the main reasons leading to registration of FIR, this application is allowed.

The provisional bail granted to the petitioner vide order dated 12.07.2019 stands confirmed.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Rajesh/-

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