

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45619 of 2019

Arising Out of PS. Case No.-736 Year-2018 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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RAJEEV KUMAR SINGH, Son of Randhir Kumar Singh, Resident of
Village – Alwalpur, Police Station – Gaurichak, District – Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash
For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 24-07-2019 This application, for grant of anticipatory bail, arises
out of Hajipur Complaint . Case No. 736 of 2018, disclosing
offences under Section 498A of the Indian Penal Code.

Petitioner case is that the marriage of the complainant
was solemnized with the petitioner according Hindu rites and
customs and after marriage, she went to reside with the
petitioner but the petitioner in conspiracy with others started
torturing her for demand of dowry and there is further allegation
against brother in law (devar) of trying to outrage her modesty.

Submission of learned counsel for the petitioner is
that prior to the marriage, she was pregnant and in that
connection, learned counsel for the petitioner draw my attention
towards annexure -2, which is a medical report as well as



annexure -4, which is an agreement between the parties, which contained the signature of complainant also. It has also been submitted that even from the complaint petition also, specific allegation is against mother in law and devar and not against the petitioner.

Heard learned A.P.P. as well as learned counsel for the complainant. It has been submitted by learned counsel for the complainant that if the petitioner claims that the marriage is void, he should have moved before the concerned court for dissolution of marriage but no case has been filed rather the petitioner and others started to torture and harass the petitioner.

Having heard both sides, considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additinoal Chief Judicial Magistrate -XIII, Vaishali at Hajipur, in connection with Hajipur Complaint Case No. 736 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is further subject to the condition that



petitioner shall cooperate in disposal of trial and make himself available as and when required by the Trial Court, failing which, the prosecution will be at liberty to move for cancellation of bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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