

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74843 of 2018**

Arising Out of PS. Case No.-1853 Year-2018 Thana- KATIHAR
COMPLAINT CASE District- Katihar

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Rati Mohan Kishor Son of late Akhilesh Prasad Singh Resident of Village-
Gayashpur, P.S. Sishban, District- Siwan Presently residing at Lichi Bagan
Durga Sthan, P.S. Katihar, District- Katihar.

... .. Petitioner

Versus

1. State Of Bihar
2. Kumari Anju Wife of Rati Mohan Kishor, Daughter of Kedar Nath Bhakta,
Resident of Mahavir Enclave Near Sulabh International Gali No. 05, Near
Uttam Nagar Matro Station, P.S. Uttam Nagar Distt.-New Delhi.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Bimal Kumar, Advocate.
For the O.P. No. 2 : None
For the State : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 11-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences
alleged under Sections 498(A) of the Indian Penal Code and
Section 4 of the Dowry Prohibition Act registered in connection
with Complaint Case No. 1853 of 2018.

3. It is submitted that the petitioner has been falsely
implicated and this is the first such complaint since the parties
were married more than a decade ago in the year 2004. It is
submitted that there is matrimonial discord owing to educational
gap between the parties, despite which the complainant is still



living at her matrimonial home with the petitioner. He expresses his readiness to keep the complainant with due dignity and honour.

4. Despite appearance having been entered into by opposite party no. 2, she is not represented when the matter is called today.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Katihar in connection with Complaint Case No. 1853 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioner shall remain physically present



in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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