

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45707 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- MAHILA P.S. District- Kaimur (Bhabua)

RAUSHAN SINGH Son of Bilatan Singh Resident of Village - Awakhara,
P.S.- Chainpur, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Rukmina Devi Wife of Raushan Singh D/O- Lal Bunna Singh, Resident of Village - Kukuradh, P.S.- Sonhan, District - Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 16-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bhabua Mahila P.S. Case NO. 35 of 2019, disclosing offences under Sections 498A, 307/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The petitioner is the husband of the informant. There is allegation that the informant was tortured mentally and physically for demand of dowry. On perusal of the First Information Report, it also appears that there is allegation that the petitioner inflicted injuries on the informant with a hot iron rod. On careful examination of the First Information Report, however, it transpires that the said sentence containing allegation of infliction of injury with hot iron rod has been added as the font of the letters of the



said sentence is visibly different from the rest of the FIR.

Learned counsel for the informant has vehemently opposed the prayer for anticipatory bail.

However, on close scrutiny of the FIR, I find that matrimonial dispute between the parties is the real cause behind lodging of the FIR. This application is, therefore, allowed.

Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Bhabua in Bhabua Mahila P.S. Case No. 35 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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)

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