

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47917 of 2019

Arising Out of PS. Case No.-1467 Year-2018 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Deepak Kumar Son of Shri Mathura Singh @ Mathura Prasad Singh Resident
of Village and Post - Azampur, P.S.- Desari, District- Vaishali, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O - Ganesh Prasad Singh Resident of Village and Post -
Azampur, P.S.- Desari, District- Vaishali, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Angad Kunwar
For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 01-08-2019 Heard learned counsels for the petitioner,

complainant and the State.

The petitioner, being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A/34 of the IPC and Section 4 of the Dowry Prohibition Act.

The prosecution case as per the complainant is that the complainant was married with the petitioner on 20.11.2017. Subsequently further dowry demand of a motorcycle and other articles were made and due to non-fulfillment of the same, the complainant was tortured by the petitioner and other in-law



family members and ultimately, the complainant was driven out from her matrimonial house.

It is submitted by learned counsel for the petitioner that the petitioner admits his marriage with the complainant, but now the complainant has performed second marriage.

Learned counsel for the complainant submits that the complainant has not performed second marriage and she is still ready to resume the conjugal right.

Considering the rival submission of the parties, let the above named petitioner be released on provisional anticipatory bail for six months in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1467 of 2018, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Learned Court below will make efforts to get the issue reconciled between the parties.

The provisional anticipatory bail of the petitioner will be confirmed by the learned Court below if the learned Court below comes to a conclusive finding that the complainant has



performed second marriage or if the complainant deliberately gets reluctant to reconcile the issue.

(Dinesh Kumar Singh, J)

Amrendra/-

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