

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66704 of 2019

Arising Out of PS. Case No.-1123 Year-2017 Thana- SIWAN COMPLAINT CASE District-
Siwan

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SAKET KUMAR SINGH @ SAKET KUMAR @ SAKET SINGH Son of
Basant Singh Resident of Village and P.O.- Jasauli Pakauli, Police Station-
Pachrukhi, District- Siwan.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Ramesh Prasad Singh Son of Late Bachcha Deo Singh Resident of Village
and P.O.- Ageya, Police Station- Goreakothi, District- Siwan.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 23-10-2019 This application, for grant of anticipatory bail, arises

out of Complaint Case No. 1123 of 2017, disclosing offences

under Sections 323, 498A, 494 of the Indian Penal Code and

Section 3/4 of the Dowry Prohibition Act.

Petitioner happens to be husband of complainant and
allegation against is of torturing her mentally and in spite of she
being fell ill nobody came to see her.

Submission of learned counsel for the petitioner is
that there is no allegation of demand of dowry. Moreover, in the
maintenance case filed by the complainant, matter was
compromised and his is paying maintenance to the complainant.

Heard learned A.P.P. also.



Having heard both sides, in view of the above facts, 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 Sub Divisional Judicial Magistrate, Siwan, in connection with Complaint Case No. 1123 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

It is made clear that if opposite party no. 2 appears before the court below and challenge the above submission with regard to maintenance, learned court below shall consider the same and if the said submission of petitioner with regard to payment of maintenance is found false, the court below shall cancel the bail bonds of the petitioner.

(Vinod Kumar Sinha, J)

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