

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No. 13871 of 2020**

Arising Out of PS. Case No.-1711 Year-2012 Thana- VAISALI COMPLAINT CASE District-  
Vaishali

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RATAN RAI Son of Late Bhola Rai Resident of Village - Rasulpur Fatah @  
Rasalpur, Fatah, P.S.- Katahara (O.P.) Goraul, District - Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi Wife of Ratan Rai Resident of Village - Rasulpur Fatah @  
Rasalpur, Fatah, P.S.- Katahara (O.P.) Goraul, District - Vaishali, at present  
D/O Arjun Pal, Resident of Village - Shekhpura Karnam, P.S.- Mahnar,  
District - Vaishali

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sunil Kumar Singh  
For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

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**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      26-06-2020                      Due to COVID-19 Pandemic, the matter is being  
  
taken up by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”  
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP  
for the State.

The petitioner is apprehending his arrest in a case  
registered under Sections 498A of the Indian Penal Code and 4  
of Dowry Prohibition Act.

Allegation against the petitioner is of committing torture  
upon the victim due to non-fulfillment of demand of dowry.



It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to petty family dispute. The petitioner is husband of the victim. The offences are triable by Magistrate. The petitioner has relied upon the judgment of this Court in the case of Md. Naimul Haque Ansari @ Naimul Haque Ansari & Ors. Vs. The State of Bihar, reported in 2006(3) PLJR 182.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case and also the lockdown, the petitioner, above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of learned Sub Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 1711 of 2012 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with



two sureties of the like amount each within a period of seven weeks to the satisfaction of the court concerned in connection with the aforesaid case.

**(Sudhir Singh, J)**

A.K.V.//-

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