

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17621 of 2020

Arising Out of PS. Case No.-138 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Shamshad Rai Son of Ali Akhtar Ray Resident of Village- Baikunthwa, P.S.-
Darpa, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Salama Khatoon Wife of Shamshad Rai, Daughter of Bhulan Rai Resident of
Village- Parsa Paithanpatti, P.S.- Darpa, District- East Champaran.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr.Anil Kumar, Advocate
For the Opposite Party : Mr.Pawan Kumar Chaurasia, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 10-07-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

The petitioner, who is the husband of the complainant,
is apprehending arrest in connection with Complaint Case No.
138 of 2018 for offences under Sections 498A and 406 of the
Indian Penal Code.

The allegation against the petitioner is that he has
tortured complainant-opposite party no. 2 for non-fulfillment of
dowry demand.

Learned counsel for the petitioner submits that the
petitioner has no criminal antecedent and marriage between the
petitioner and opposite party no. 2 took place in the year 2016.



The petitioner has specifically stated in paragraph 6 of the bail petition that he is ready to keep his wife (opposite party no. 2) with full honour and dignity.

Considering the aforesaid and in order to restore normalcy in conjugal life between the petitioner and opposite party no.2, this Court is inclined to grant bail to the petitioner. Let petitioner, above-named, in the event of arrest or surrender within one month from today, 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 Sub-Divisional Judicial Magistrate, Raxaul at Motihari, East Champaran in connection with Complaint Case No.138 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

In the event the petitioner neglects, misbehaves or torture the complainant (opposite party no. 2), the court below shall be at liberty to cancel his bail bond.

(Anil Kumar Upadhyay, J)

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