

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45610 of 2016

Arising Out of PS. Case No.-88 Year-2016 Thana- PARIHAR District- Sitamarhi

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Chulhai Rai son of Late Soman Rai Resident of Village- Sahargama, P.S.-
Parihar, District- Sitamarhi. Presently residing at Village- Pipartolia, PS.-
Parihar, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nawal Rai son of Mahendra Rai Resident of Village- Sonma, P.S.- Gaushala,
District- Mahotri Nepal.
3. Ranjita Devi, D/o Nawal Rai, R/v Sonma, P.S. Gaushala, District Mahotri
(Nepal).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 18-02-2020 Heard learned counsel for the petitioner and learned

A.P.P. for the State. Though, notices have validly been served on
opposite party no. 2 & 3, as per service report kept at flag 'S',
nobody appears on their behalf.

The petitioner apprehends his arrest in Parihar P.S.

Case No. 88 of 2016 registered for the offence under Sections
323, 379, 498(A) of the Indian Penal Code and Sections 3/4 of
Dowry Prohibition Act.

It is submitted on behalf of petitioner that petitioner
has falsely been implicated in this case. The marriage was
performed in the year 2010, but neither the petitioner has
demanded Rs. 45,000/- (forty five thousand) nor he has ousted
the opposite party no. 3 from her matrimonial home. It is further



submitted that petitioner is still ready to keep opposite party no. 3, as his wife, with full respect and dignity.

In view of specific stand of the petitioner that he is ready to keep opposite party no. 3 with full respect and dignity, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – VI, Sitamarhi/concerned court in connection with Parihar P.S. Case No. 88 of 2016 on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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