

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75414 of 2019**

Arising Out of PS. Case No.-37 Year-2013 Thana- RIGA District- Sitamarhi

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Satyendra Rai Son of Suraj Rai Resident of Village- Bulakipur, P.S.- Riga, District- Sitamarhi	... Petitioner
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Versus

The State of Bihar	... Opposite Party
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Appearance :

For the Petitioner	: Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party	: Nirmala Kumari, Addl Public Prosecutor

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 17-02-2020 Heard learned counsel for the parties.

Petitioner apprehends arrest in a case registered for the offence punishable under sections 364/307 of the Indian Penal Code.

Informant alleges that the petitioner and other accused persons enticed away his daughter Shila, thereafter co-accused Rambabu Rai contracted second marriage and then subjected her to cruelty for dowry.

Learned counsel for the petitioner submits that under section 164 Cr.P.C. statement, the victim has clearly stated that she voluntarily married to the accused Rambabu Rai who took her to Delhi, wherafter he sold her to one Gulshan for Rs.2.5 lacs who after a month handed over her to one Pradip Mallick for Rs.3 lacs. Pradip died of Cancer and thus she is residing at Delhi as the widow of said Pradip. Pointing to the section 164 Cr.P.C. statement, learned counsel for the petitioner submits that the victim has only stated that the petitioner as well as one Suraj and Ram Snehi Devi were also present at Delhi. Save and except, there is no on allegation of any over act against the petitioner, who has no criminal antecedent. He submits that the petitioner has nothing to do with the affairs



of said Rambabu Rai.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within a period of six weeks from today, let the petitioner, mentioned above, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi in Riga Police Station Case No. 37/2013, on the following conditions:-

(1) Petitioner shall co-operate 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 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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