

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65939 of 2019

Arising Out of PS. Case No.-1422 Year-2017 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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Shyambabu Rai, aged about 25 years (M), Son of Jainarayan Rai, Resident of
Village - Gokhula, P.S.- Baruraj, District - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Sangita Devi aged about 20 years (F), daughter of Lakhindra Rai , Resident
of Village - Bansghat Tola Vishunpur, P.S.- Chakia, District - East
Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 05-03-2020 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and learned Additional Public Prosecutor for the

State.

The petitioner apprehends his arrest in connection
with Trial No. 1883 of 2019 arising out of Complaint Case No.
C-1422 of 2017, registered for the offence punishable under
Sections 323, 341, 379, 406, 498(A)/34 of the Indian Penal
Code 1860 and Section 3/4 of the Dowry Prohibition Act.

The allegation against the petitioner as per the
complaint lodged by Opposite Party No. 2 is that the marriage
of the complainant was solemnized with the petitioner on
31.05.2017. It has further been alleged that after some time of
the marriage, the petitioner and his family members started
demanding Rs. 50,000/- cash and one motorcycle and due to
non- fulfillment of the demand of dowry, the complainant was



tortured by her in- laws and the petitioner physically as well as mentally.

Mr. Abhishek Kumar, learned counsel appearing for the petitioner submits that petitioner has falsely been implicated in the present matter along with entire family members. Learned counsel referring to paragraph no. 10 of this petition submits that petitioner is ready to keep Opposite Party No. 2 as his wife with all care, honour and dignity.

Having heard learned counsel for the petitioner and learned counsel appearing for the State and upon perusal of record it appears that notice was issued to Opposite Party No. 2 by this Court vide order dated 04.11.2019 and the same was validly served upon the Opposite Party No. 2 on 20.01.2020. However, despite valid service of notice, the Opposite Party No. 2 has chosen not to appear before this court whereas, the petitioner is ready and willing to keep the Opposite Party No. 2 as his wife.

In view of the above stated facts and circumstances, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, provisional bail granted to the petitioner, above named, by a Co-ordinate Bench of this Court vide its order dated 04.11.2019 in connection with Trial No. 1883 of



2019 arising out of Complaint Case No. C-1422 of 2017
pending before the court of learned Sub- Divisional Judicial
Magistrate, Sadar, Motihari, East Champaran is hereby
confirmed.

(Anil Kumar Sinha, J)

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