

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86535 of 2019

Arising Out of PS. Case No.-104 Year-2019 Thana- PATNA COMPLAINT CASE District-
Patna

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RAKESH SINGH @ RAKESH KUMAR @ BINDHYACHAL, Son of
Surendra Singh Resident of Majhaua, P.O.- Arrah, P.S.- Town Thana Ara,
District- Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari W/o Rakesh Singh @ Rakesh Kumar @ Vindhyachal
Resident of Fahimchak, Post Mohanpur, P.S.- Punpun, District- Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surya Kant Mishra
For the Opposite Party/s : Mr.Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-09-2021 Heard Mr. Surya Kant Mishra, learned advocate

for the petitioner and Mr. Nand Kumar, learned APP for

the State.

The petitioner, who is the husband of Opposite

Party No. 2, seeks bail in anticipation of his arrest in

connection with Complaint Case No. 104(c) of 2019,

dated 01.03.2019, in which cognizance has been taken

under Sections 498 A and 323 of the Indian Penal Code

and Sections 3 and 4 of the Dowry Prohibition Act,

1961.



Vide order dated 13.02.2020, notice was issued to the Opposite Party No. 2 and the petitioner was given interim protection.

It appears from the office notes that the Opposite Party No. 2 has refused to receive the notice.

The learned advocate for the petitioner has submitted that the accusation made in the complaint petition is absolutely false and concocted. In fact, the Opposite Party No. 2 is herself not desirous of continuing with the matrimonial relationship with the petitioner.

The petitioner even today is ready for settlement of matrimonial discord with his wife provided she is agreeable for the same.

However, taking into account the fact that she has refused to accept notice, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt /



production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Masaudhi, Patna in connection with Complaint Case No. 104(c) of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

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