

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83412 of 2019

Arising Out of PS. Case No.-456 Year-2017 Thana- VAISALI COMPLAINT CASE District-
Vaishali

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Ramesh Das Son of Yogendra Das Resident of Village and P.O.- Chhatwara
Khaspatti, P.S.- Mahua, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Poonam Devi Wife of Ramesh Das, Daughter of Upendra Das Presently
residing at Village and P.O.-Mohanpur, P.S.- Shahpur Patori, District-
Samastipur.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr.Chandra Mohan Jha, Advocate
For the State	:	Ms.Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 22-10-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 456 of 2017 for offences under
Sections 498A/34 of the Indian Penal Code and Section 4 of the
Dowry Prohibition Act.

Opposite party No. 2 was validly served notice but
she has chosen not to appear in this case. The marriage of the
petitioner with opposite party no. 2 is of the year 2004 and there
is a grown-up girl also.

From reading of the impugned order, it seems that
opposite party no.2 does not want to stay with the petitioner.



Be that as it may, in view of the fact that this marriage is quite old and at this stage of marriage, chance of demand of dowry is very less and merely on the basis of the allegation of demand of dowry and assault without any supporting material including the injury report, the petitioner cannot be denied privilege of anticipatory bail.

Accordingly, let petitioner, above-named, in the event of his arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Vaishali at Hajipur in connection with Complaint Case No. 456 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sandeep Kumar, J)

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