

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22947 of 2022

Arising Out of PS. Case No.-69 Year-2021 Thana- MAHILA P.S. District- Saran

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Pramod Ray @ Pramod Kumar Rai S/o Late Kamal Ray R/o village-
Samsuddinpur, P.S.- Rivilganj, District- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Mukesh Kumar Singh, Advocate.
For the Opposite Party/s	:	Mr. Tapeswar Sharma, APP.
For the Informant	:	Mr. Santosh Kumar, Advocate.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard Mr. Mukesh Kumar Singh, learned counsel for
the petitioner, Mr. Santosh Kumar, learned counsel for the
informant as well as learned Additional Public Prosecutor for
the State.

The application for grant of bail to the petitioner,
above named, who has been made accused and put behind the
bar in connection with Mahila P. S. Case No. 69 of 2021
registered for the offences punishable under Sections 498 (A)
and 307 of the Indian Penal Code and Sections 3, 4 of the
Dowry Prohibition Act.



As per the prosecution case, it is alleged that the marriage of the informant was solemnized with the petitioner on 03.06.2021 as per the Hindu rites and customs. It is further alleged that just after 15 days of marriage all the accused persons including this petitioner started demanding Rs. 2,00,000/- and thereafter, she was subjected to torture by various ways. It is next alleged that the petitioner tried to strangle the informant and the other co-accused administered some pesticides due to which she became unconscious and she was brought to hospital for treatment.

Learned counsel appearing on behalf of the petitioner submitted that from the F.I.R., it is evident that the marriage of the petitioner was solemnized on 03.06.2021 and surprisingly, the present written application was prepared on 28.07.2021 but the present F.I.R was instituted on 03.09.2021 after couple of months without assigning any explanation of the same. It is next submitted that even as per the F.I.R., it is evident that she was taken to hospital by the co-accused persons and thereafter, she was treated by the doctor. It is subsequently submitted that in fact, the marriage of the informant was solemnized against her will and she does not want to live with this petitioner, however, the petitioner has always been ready to



keep his wife with full dignity and honour.

On the other hand, learned counsel for the informant submits that just after the marriage, she was subjected to torture at the hands of all the family members, however, she is still ready to live with her husband, if he keeps her with full dignity and honour

Learned APP for the State while opposing the bail application, supports the submissions made by the learned counsel for the informant.

Having considered the submissions made on behalf of the parties and taking into account the nature of dispute and period of custody, let the petitioner, above named, be released on provisional bail for six months on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Saran at Chapra in connection with Mahila P. S. Case No. 69 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner.

It is further ordered that both the petitioner and the opposite party will appear on the next date of the proceeding and the petitioner will file a petition on affidavit that he is ready to keep his wife with dignity and care and will not make any



torture on her. Thereupon, he will bring opposite party no. 2 in her matrimonial home and keep her with all comfort and the learned court below will watch their conduct and marital relationship at least for six months by calling them in court in first week of every month and once the court is satisfied with their conduct and marital relationship especially conduct of the petitioner his bail bond shall be confirmed otherwise the learned court below is free to pass any other order/orders as it may be deemed fit and proper. With the above observation, the present application is disposed of.

(Harish Kumar, J)

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