

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61121 of 2022**

Arising Out of PS. Case No.-8 Year-2022 Thana- KINJAR District- Jehanabad

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Rahul Dome @ Rahul Kumar S/O Late Munna Dome @ Late Munna,
Resident of village- Gur Ki Mandi, P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Rekha Kumari W/O Rahul Dome @ Rahul Kumar, D/O Gaine Dome @ Surendra Ram, Resident of village- Nagla Mushari, P.S.- Kinjar, P.O.- Kinjar, District- Arwal (Jehanabad).

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pranaya Shanker Sinha, Advocate
For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 15-05-2023 The petitioner seeks pre-arrest bail in connection with

Kinjar P.S.Case No.8 of 2022, registered for the offences

punishable under Sections 341, 323, 498A, 506/34 of the Indian

Penal Code and Section 3/4 of the Dowry Prohibition Act.

Prosecution story, in brief, is that due to strange
matrimonial relationship between the petitioner and O.P.no.2,
O.P.no.2 was forced to lodge criminal case against her husband
(petitioner) alleging therein that he used to torture her and
demands four wheeler as dowry.

The learned counsel appearing on behalf of the
petitioner submits that the petitioner is ready to live with
O.P.no.2 and he also undertakes to fulfil her physical as well as
financial needs. O.P.no.2 has no objection to that effect,
however, it has been informed by the learned counsel that the



petitioner on two earlier occasions after giving undertaking that he will keep O.P.no.2 with full dignity and honour, has refused to live with her. He further informs this Court that the petitioner is an employee of Patna Municipal Corporation and he earns substantial monthly salary. Petitioner has clean antecedent.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

Having considered the rival submissions made on behalf of the petitioner and O.P.No.2, who are now ready to live along with each other, petitioner has also undertaken to live with O.P.no.2 and will also fulfil her physical as well as financial needs and will keep her with full dignity and honour, the the petitioner is directed to be released on provisional pre-arrest bail for one year in the event of his arrest or surrender before the court below within a period of four weeks from today on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Arwal (Jehanabad) in connection with Kinjar P.S.Case No.8 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and in case, O.P.no.2 does not make any complaint against him in that case, the provisional pre-arrest bail granted to the petitioner shall be made absolute



on such terms and conditions as the court below deems fit and proper and the conditions as laid down under Section 438(2) of the Cr.P.C.

The petitioner and the O.P.no.2 must appear before the learned court below and file an affidavit to that effect that they have decided to live together.

(Purnendu Singh, J)

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