

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20858 of 2015

Arising Out of PS.Case No. -582 Year- 2014 Thana -SAMASTIPUR COMPLAINT CASE District-
SAMASTIPUR

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1. Shamboo Das @ Shambhu Das S/o Sri Rajo Das residents of Village-
Mahisi, P.S. - Bibhutipur, District- Samastipur Petitioner

Versus

1. The State of Bihar
2. Hema Devi D/o- Buteli Das Resident of Village- Naua Pokhar, P.S.-
Hathauri, District- Samastipur Opposite Parties

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Appearance :

For the Petitioner : Mr. Sunil Kumar Thakur, Adv.
For the State : Mr. Bharat Lal (App)
For OP No. 2 : Mr. Vinay Kumar Mishra, Adv.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

3 02-09-2015 Heard the learned counsel for the petitioner, the State
and opposite party no. 2.

This is a petition for grant of anticipatory for offence
under Section 498A of the Penal Code.

The learned counsel for the petitioner submits that
the petitioner is the husband of opposite party no. 2. By order,
dated 07.07.2015, a coordinate Bench of this Court has directed to
file a counter affidavit by opposite party no. 2, which has not been
filed and the learned counsel for the petitioner seriously dispute
the allegation made and asserts that the complainant is the wife of
one Gopal Das and he has his separate wife and children.

Hence, having regard to the facts and circumstances
of the case, the petitioner, above named, in the event of his arrest
or surrender, within four weeks from the date of receipt of this
order, is directed to be released on anticipatory bail on furnishing
bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of
the like amount each in connection with the Complaint Case/C.R.
No. 582 of 2014 (T.R. No. 700 of 2015) to the satisfaction of Sri

D. Srivastava, Judicial Magistrate, 1st Class, Rosera, Samastipur subject to the condition that the petitioner shall appear in person in Court on each and every date, fixed in the case and any absence, on two consecutive dates, without any reasonable ground to the satisfaction of the Court below, shall be a ground of cancellation of his bail by the Court below itself. The complainant will also pursue the matter and the trial shall proceed on day-to-day basis.

(Gopal Prasad, J)

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