

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21472 of 2014

Arising Out of PS.Case No. -1321 Year- 2012 Thana -PATNA COMPLAINT CASE District-
PATNA

=====

1. Gopal Prasad Jaiswal @ Gopal Kumar son of Late Mahendra Prasad Jaiswal, resident of Lalganj, Police Station, Chandi, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Dolly Devi D/o Ram Nath Prasad Jaiswal, resident of village- Kathara, P.S. Maner, District- Patna

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ram Narayan Singh
For the Opposite Party/s : Mr. Suresh Pd. Singh (App)

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

8 09-02-2015 Heard learned counsels for the petitioner and the State.

The petitioner being husband of the complainant is apprehending arrest in a complaint case in which process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 323 of the Indian Penal Code.

The basic accusation is of torture for non fulfillment of dowry demands.

On instructions, learned counsel for the petitioner submits that the petitioner is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been

made in paragraph 7 of the petition which reads as follows:

“That the petitioner is ready to keep his wife with full honour and dignity but she does not want to live in village and the complainant has filed this false case against the petitioner and his family members only to pressurize the husband to come and live at Patna.”

Initially, notices were issued to O.P. No. 2 on 14.5.2014, thereafter on 21.8.2014 and 13.11.2014 but the O.P. No. 2 was not traced. Hence, vide order dated 9.1.2015, this application was placed for Admission. Today also, none appears on behalf of O.P. No. 2.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned S.D.J.M., Danapur in connection with Complaint Case No. 1321C of 2012 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The grant of anticipatory bail to the petitioner in no way will preclude the complainant to reconcile the issue. In case the complainant files an application for resuming the conjugal life,

the petitioner will be obliged to comply the undertaking given before this Court.

(Dinesh Kumar Singh, J)

Anil/-

U		T	
---	--	---	--