

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45058 of 2013

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Nagendra Vidyarthi S/O Late Keshwar Prasad Wrongly Written As
Keshwar Paswan In The Complaint Case Resident Of Mohalla- Dujra
Gandhi Murti, P.O.- Gpo, Patna P.S. Buddha Colony, District- Patna.

.... Petitioner/s

Versus

1. The State Of Bihar

2. Sonali Kumari @ Moni Wife of Nagendra Vidyarthi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Anshuman

For the Opposite Party/s : Mr. A.H.M.Rahman (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

4 20-01-2015 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State. Despite service of
notice on Opposite Party No. 2, there is no representation on her
behalf.

The petitioner is the husband and seeks anticipatory bail in a
case registered for the offence punishable under Sections 498-A of
the Indian Penal Code and Section 34 of the Dowry Prohibition
Act. While issuing notice to Opposite Party No. 2, the
petitioner's wife who is the complainant in the case, vide order
dated 11.11.2013, the petitioner was directed to be released on
provisional bail in connection with the said Complainant Case No.
184(c)/2013, if he surrendered before the Court of learned Sub-
Divisional Judicial Magistrate, Patna in compliance of the order

dated 11.11.2013 and is on provisional bail. Learned petitioner's counsel has further submitted that the matrimonial dispute between the petitioner and opposite party No. 2, is the reason behind institution of the Complaint Case.

Be that as it may, keeping in view the nature of allegation and the fact that the opposite party has chosen not to appear in the present case despite service of notice, the provisional bail granted to the petitioner vide order dated 11.11.2013 is made absolute.

This application is allowed accordingly.

(Chakradhari Sharan Singh, J.)

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