

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.34390 of 2014

Arising Out of PS.Case No. -20 Year- 2013 Thana -MAHILA P.S District- SUPAUL

Sanjay Kumar Jha S/o Late Kamala Kant Jha Resident of village -
Rampur P.S - Sour - Bazar , District - Saharsa .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Devi W/o Sanjay Kumar Jha S/o Late Sudhir Kumar Resident
of Village - Chainpur , Bard No. 1, P.O - Balua Bazar P.S. -
Bhimpur , District - Supaul .

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Nath Vishawas

For the Opposite Party/s : Mr. Dr. Kr. Uday Pratap (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

03/ 23-04-2015 Heard learned counsels for the petitioner and
the State.

The petitioner being the husband of the
informant is apprehending his arrest in a case registered for the
offences punishable under Sections 323, 379, 504, 506, 498A/34
of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

The basic accusation is of torture for non-
fulfillment of the dowry demand.

The marriage between the petitioner and the

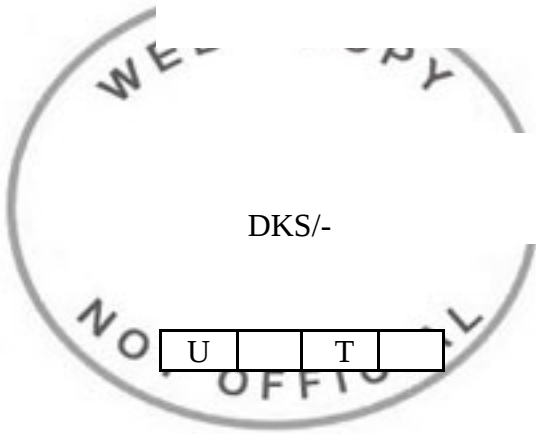
informant having no issue is admitted fact.

It is submitted by learned counsel for the petitioner that the petitioner filed Matrimonial Suit No. 148 of 2011 for divorce and vide order dated 18.07.2013 the learned court below given last chance of appearance of the informant in the matrimonial suit and thereafter on 23.07.2013 the present case has been lodged.

Notices were issued to the informant-opposite party no. 2 vide order dated 12.02.2015. Office note dated 10.04.2015 reflects that the notice on behalf of opposite party no. 2 was received by her brother. Supplementary affidavit has been filed by the petitioner that opposite party no. 2 is joint with her brother. Today also none is appearing on behalf of opposite party no. 2.

Considering the fact that matrimonial suit for divorce has filed at earlier point of time, let the above named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in connection with Supaul Mahila P.S. Case No. 20 of

2013, subject to the conditions as laid down under Section 438(2)
of the Cr.P.C.



(Dinesh Kumar Singh, J)