

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25229 of 2014

Arising Out of PS.Case No. -543 Year- 2012 Thana -NAWADAH COMPLAINT CASE District-
NAWADA

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Anil Kumar Das @ Anil Das Son of Sri Chunmun Das Resident of
Mohalla-Ward No.-13, Ekta Chowk, P.S.-Bhabua, District-Kaimur.

.... Petitioner

Versus

1. The State of Bihar

2. Rupa Kumari Daughter of Radha Raman Mishra, Resident of Village &
R.O.-Dhamaul, P.S.-Dhamaul, District-Nawada.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Ajay Nandan Sahay, Advocate

For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 05-08-2015 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 498A, 379, 504, 307, 147, 406, 120B and 506 of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act registered in connection with Complaint Case no.543 of 2012.

3. It is submitted that the petitioner has been falsely implicated and this is the first complaint of this nature since the parties were married in the year 2009. The petitioner reiterates his commitment to keep the opposite party no.2 with due dignity and honour, for which a petition under Section 9 of the Hindu Marriage Act in Matrimonial Case No. 49 of 2012 has been filed

by the petitioner which is pending.

4. Despite appearance having been entered on behalf of the opposite party no.2, none is present on her behalf.

5. In that view of the matter, the provisional bail granted to the petitioner by order dated 03.11.2014 pending in the Court of learned Sub-Divisional Judicial Magistrate, Nawada in connection with Complaint Case No. 543 of 2012 stands confirmed, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:-

(i) The petitioner shall cooperate with the investigation and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioner shall remain physically present on each and every date during trial and in the event of failure on two consecutive dates, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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