

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.27063 of 2014**

Arising Out of PS.Case No. -25 Year- 2013 Thana -MAHILA P.S. District- SAHARSA

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1. Sarvesh Kumar Yadav @ Sarvesh Yadav @ Shravesh Yadav S/o Jai Ram Yadav @ Jaijai Ram Yadav Resident of Village Rakhauta, P.S. Sonbarsa Raj, District Saharsa.

.... .... Petitioner/s

Versus

1. The State of Bihar.  
2. Resham Devi D/o Birendra Yadav Resident of Village Laxmipur, P.S. Uda Kishunganj, District Madhepura.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Amarnath Jha  
For the Opposite Party/s : Mr. Nityanand(App)

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**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA**  
**ORAL ORDER**

7      07-07-2015                      Superintendent of Police, Darbhanga, S.D.P.O, Semri Bakhtiyarpur and Investigating Officer of this case are present in person.

Although, all the above stated officials tried to explain the circumstances in which decision was taken to submit final form but I am not, at all, convinced with the explanations submitted by the above stated officials.

However, all the above stated officers are warned to be more cautious and careful in future.

Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.



Petitioner happens to be husband of the informant and apprehends his arrest in connection with Saharsa Mahila P.S. Case No. 25 of 2013 registered for the offences punishable under Sections 498 A, 494, 379/34 of the Indian Penal Code and 3/4 of Dowry Prohibition Act.

Learned counsel appearing for the petitioner submits that the informant is not interested to pursue this matter and that is why in spite of issuance of notice to her, she did not choose to appear before this court. It is further submitted by him that after investigation police found the accusation untrue and submitted final form but the learned court below took cognizance for the offences.

Considering the aforesaid facts and circumstances as well as submissions of the parties, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa in Saharsa Mahila P.S. Case No. 25 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

The personal appearance of Superintendent of Police,

Darbhanga, S.D.P.O, Semri Bakhtiyarpur and Investigating  
Officer of this case stands dispensed with.

**(Hemant Kumar Srivastava, J)**

SHAHZAD/-

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