

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25241 of 2014

Arising Out of PS.Case No. -1305 Year- 2011 Thana -BHOJPUR COMPLAINT CASE District-
BHOJPUR

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Rajesh Prasad, Son of Braj Bhushan Prasad, Resident of Village - Mahdah,
Mohalla & P.O. Gajadharganj, P.S.- Mufassil Buxar, District - Buxar

.... Petitioner

Versus

1. The State of Bihar

2. Smt. Pinky Devi, Wife of Rajesh Prasad, D/o Munna Prasad, Resident of
Mohallah Tari, Paschim Tola, P.O. & P.S. Arrah, District Bhojpur

.... Opposite Parties

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Appearance :

For the Petitioner : Mrs. Rekha Prasad, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

4 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 Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act registered in connection with Complaint Case no.1305 (C) of 2011.

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 on 10.03.2007. The petitioner reiterates his commitment to keep the opposite party no.2 with due dignity and honour.

4. Despite issuance of notice to the opposite party no.2, none has appeared.

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 Chief Judicial Magistrate, Bhojpur at Arrah in connection with Complaint Case No. 1305 (C) of 2011 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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