

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9484 of 2014

Arising Out of PS.Case No. -355 Year- 2013 Thana -PATNA COMPLAINT CASE District-
PATNA

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Amit Anand @ Papluji S/O Sri Ram Krishna Jha Resident Of New Colony
Dharampur, P.S.- Samastipur, District- Samastipur

.... Petitioner

Versus

1. The State Of Bihar
2. Aparna Jha, wife of Amit Anand @ Papluji, D/o Sri Dilip Kumar Jha,
resident of Mohalla Vijay Nagar, DI Hanuman Nagar, P.S. Patrakar
Nagar, District Patna

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anupa Nand Jha

For the Opposite Party/s : Mr. Binod Kr. 2(App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

8 04-11-2015 Heard learned counsel for the petitioner. No one has
appeared on behalf of O.P.No.2.

Let it be noted that this Court has given repeated
indulgence to O.P.No.2 as would be evident from the order of this
Court dated 19.4.2014, 23.7.2014, 2.9.2015, 23.9.2015 and
14.10.2015. As a matter of fact by the last order dated 14.10.2015
when a prayer was made by the learned counsel for O.P.No.2 for
adjourning this case to 4th November, 2014 (today) when O.P.No.2
was prepared to appear, this Court had fixed the matter in
Chambers for today.

In such a situation when O.P.No.2 does not want to appear
before this Court and the petitioner faces prosecution in a



complaint case for offence under sections 498A, 120B, 494 of the Indian Penal Code and section 3/4 of the Dowry Prohibition Act, he comes out to say that he has not married any second lady till date and it is O.P.No.2 who has actually got married to someone and that is the reason that she does not want to appear before this Court, this application has to be disposed of by granting the privilege of anticipatory bail to the petitioner.

In that view of the matter, if the petitioner, Amit Anand @ Papluji, surrenders before the court below within a period of four weeks from today, he shall be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Patna in Complaint Case No. 355(C) of 2013, subject to the following conditions:

(i) That both the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how they are related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his

release in the present case and thereafter the Court below will be at liberty to initiate the proceeding for cancellation of bail on the ground of misuse.

(iii) That the petitioner will be well represented on each and every date of trial and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled on this ground alone.

(Mihir Kumar Jha, J)

surendra/-

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