

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23078 of 2016

Arising Out of PS.Case No. -2071 Year- 2014 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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Shailendra Karn, son of Sri Akhilesh Kumar Das, resident of Mohalla-
Katrahia (Gandhinagar), Post- Lakshmi Sagar, P.S.- Sadar Darbhanga,
District- Darbhanga, At present residing at 10/16, 2nd floor, Nehru Nagar,
New Delhi- 110065.

.... Petitioner

Versus

1. The State of Bihar
2. Richa Smriti Wife of Shailendra Karn and Daughter of Sri Amar Nath
Das, at Present residing at House no 44, Upper, floor, Road, No 2,
Tulsinagar, P.S.- Tilkamanjhi, District- Bhagalpur.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Anil Kumar Singh, Advocate.

For the Opposite Parties : Mr. Navin Kr. Paney (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-05-2016 Heard learned counsel for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Section 498(A) of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

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

The petitioner admits the marriage with the complainant and he is ready to keep the complainant.

The learned Sessions Judge has disposed of the

anticipatory bail application of the petitioner since only bailable warrant was issued. Learned counsel for the petitioner has not controverted this fact that only bailable warrant has been issued.

Under the circumstances, let the learned court below consider the prayer for regular bail of the petitioner in view of the ratio laid down in the case of Salim Ansare alias Md. Salim Ansare and Others vs. The State of Bihar & Another reported in PLJR 2015 (3) 806, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 2071 of 2014, pending in the court of the learned Sub-Divisional Judicial Magistrate, Bhagalpur.

With the above observations, this application is disposed of.

(Dinesh Kumar Singh, J.)

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