

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11575 of 2014

Arising Out of PS.Case No. -1453 Year- 2012 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Surendra Paswan Son Of Nageshwar Paswan Resident Of Village-
Deekali, P.O.- Belchhi Sharif, P.S.- Manpur, District- Nalanda

.... Petitioner/s

Versus

1. The State Of Bihar

2. Anpu Devi Wife Of Surendra Paswan Resident Of Village- Deekoli,
P.O.- Belchhi Sharif, P.S.- Manpur, District- Nalanda At Present D/O
Girami Paswan Resident Of Manpur, P.O.- Paroha, P.S.- Manpur, District-
Nalanda

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Yogendra Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

5 21-07-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case filed with accusation punishable under Sections 341, 323, 498A and 504/34 of the IPC and Section 3/4 of the Dowry Prohibition Act wherein process has been directed to be issued after cognizance being taken.

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

Notices were issued to the opposite party no.2 vide order dated 24.04.2014 when the petitioner was granted provisional anticipatory bail by a co-ordinate Bench of this Court (now retired). The petitioner was supposed to furnish bail bonds



within a period of four weeks but he could not furnish the bail bonds, hence the period of surrender was subsequently extended vide order dated 07.07.2014, in the meantime, the opposite party no.2 entered her appearance. The matter was referred to the Mediation and Reconciliation Centre of Bihar State Legal Services Authorities vide order dated 04.02.2015 and the parties were directed to produce relevant documents within ten days peremptory period but the petitioner failed to comply the order dated 04.02.2015 leading to dismissal of the present application. The same was restored by the same co-ordinate Bench of this Court vide order dated 20.04.2016 passed in Cr. Misc. No. 7912 of 2016 but it appears that the petitioner has still not submitted the documents in pursuance to the order dated 04.02.2015. The above facts suggest the casual manner in which the petitioner is prosecuting the present application.

Counsel for the complainant submits that after dismissal of the application, the complainant has taken away the file hence he has no instruction at present.

In the circumstance, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six

weeks in connection with Complaint Case No. 1453C of 2012
pending in the court of learned SDJM, Nalanda at Biharsharif.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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