

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49566 of 2015

Arising Out of PS.Case No. -19 Year- 2014 Thana -MAHILA P.S. District- NAWADA

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Gopal Sao Son of Anil Sao

.... Petitioner/s

Versus

1. The State of Bihar.
2. Guriya Devi, Daughter of Badhyanath Sao

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 29-04-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant is apprehending arrest in a case registered for the offences punishable under Sections 323/380/452/498A/34 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand.

It is submitted by learned counsel for the petitioner that the petitioner disputes the factum of marriage. The informant earlier filed Complaint Case No.622/98 wherein she claimed to have married with other person.

This Court vide order dated 29.10.2015, issued notices to opposite party no.2. The service report, kept at 'flag-B' reflects that since the ordinary process of notice issued to opposite party

no.2 has been received by her father, hence, it was directed to be treated as deemed validly served. On 29.03.2016, none turned up on behalf of opposite party no.2 when the case was called out. Even today none is appearing on behalf of opposite party no.2.

Considering the factum of marriage in dispute, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Nawada, in connection with Nawada Mahila P.S. Case No.19/2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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