

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54493 of 2015

Arising Out of Complaint Case No. -1031 Year- 2014 Thana -COMPLAINT CASE District-
BANKA

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Tinku Tanti S/o Budhan Tanti

.... Petitioner/s

Versus

1. The State of Bihar
2. Doli Kumari, D/o Shankar Tanti, W/o Tinku Tanti

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Satyendra Nr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 28-07-2016 Heard learned counsels for the petitioner and the State.

However, none appears on behalf of opposite party no.2.

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 Sections 323, 307, 379, 494 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Basic accusation is of torture for non-fulfillment of dowry demand and performing second marriage.

It is submitted by learned counsel for the petitioner that since there was no issue from the first wife, the petitioner performed second marriage and still he is ready to keep the complainant with dignity and honour. A statement to that effect has been made in paragraph 8 of the petition, which reads as under

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"That the petitioner is still ready to keep the complainant/O.P No.2 with full dignity and honour and also maintain the O.P. No.2".

This Court vide order dated 02.12.2015 issued notices to opposite party no.2, but the order dated 11.04.2016 reflects that in spite of valid service of notice none appeared on behalf of opposite party no.2. Though, the cause list reflects the name of Mr. Amrendra Kumar Jha, counsel for the opposite party no.2. Today, also none appears on behalf of her.

Keeping in view of the present stand of the petitioner, it is a case for consideration of prayer for regular bail. Let the learned Court below consider the prayer for regular bail of the petitioner and preferably dispose of on the same day, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No.1031/2014, pending before the learned SDJM, Banka.

With the above observation, this application is, accordingly, disposed off.

(Dinesh Kumar Singh, J)

Ashwini/-

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