

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36852 of 2016

Arising Out of PS.Case No. -907 Year- 2012 Thana -COMPLAINT CASE District- SUPAUL

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1. Anil Mukhiya, Son of Rashi Lal Mukhiya, resident of Village Simri
Block, Police Station- Bhaptiyahi, District- Supaul Petitioner
Versus

1. The State of Bihar
2. Sumitra Devi, Wife of Anil Mukhiya, Daughter of Sukhdeo Mukhiya,
R/o Vill- Tengraha, P.S.- Kishanpur, District- Supaul
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Arun, Adv.
For the Opposite Parties : Mr. Md. Ashlam Ansari, APP 241

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 24-08-2016 Heard the learned counsel for the petitioner and the
State.

The petitioner, being the husband of the complainant,
apprehending his arrest in a case registered under Section 498A of
the Indian Penal Code.

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

On instruction, it is submitted that the petitioner
admits his marriage with the complainant and is ready to keep the
complainant as wife with full dignity and honour. Statement to
the aforesaid effect has been made in paragraph no. 6 of the
petition, which reads as follows :

“That the petitioner is the husband of the
complainant and is ready to keep her with honour
and dignity and by the order of the learned Court
below, summons was issued but she did not appear
in the Court below to assist the Court for settlement
of her dispute.”

It is submitted that the same stand was taken before

the lower Court, but, in spite of notice the complainant failed to appear before the Court below.

Considering the fact that for a complaint filed in the year 2012 the petitioner has preferred the present anticipatory bail application in the year 2016, this Court is not inclined to grant privilege of anticipatory bail to the petitioner.

Let learned Court below consider the prayer for regular bail of the petitioner in view of the present stand of the petitioner, if the petitioner surrenders within a period of six weeks and prays for regular bail in connection with Complaint Case No. 907C of 2012 pending in the Court of the Subdivisional Judicial Magistrate, Supaul.

With that observation, this application stands disposed off.

(Dinesh Kumar Singh, J)

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