

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17198 of 2014

Arising Out of PS.Case No. -572 Year- 2013 Thana -PURNIA COMPLAINT CASE District-
PURNIA

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Praveen Kumar Son of Dinesh Mandal Resident of Village - Askashiya at
presetn Sonma (Balua), P.S.- Bhawannipur, District- Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Bidhu Ranjan

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 26-09-2016 Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 363, 366A, 494 and 498A of the Indian Penal Code.

The basic accusation is of torture for non-fulfillment of the dowry demand and eloping with the sister of the complainant Sweetie and subsequently married with her.

Notices were issued to the opposite party no.2. vide order dated 26.06.2014. The office note dated 30.08.2016 reflects that ordinary process of notice issued to opposite party no.2 has been served to the counsel for opposite party no.2 appearing

before the learned court below. In the circumstances, notices issued to opposite party no.2 is treated as deemed valid service served. However, none appears on behalf of opposite party no.2.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and also with the sister of the complainant, though, the petitioner is ready to keep the complainant as wife with full dignity and honour, statements to that effect have been made in paragraph nos. 6 and 7 of the petition which read as follows:-

“6. That the petitioner is still ready to keep the complainant with full respect and dignity which she deserves.”

7. That in this case the learned Magistrate took cognizance under Section 494, 363 and 366A IPC also but it is evident from the complaint petition itself that the sister of the complainant was eloped with the petitioner and subsequently both of them married.”

It is further submitted that in pursuance to the order of this court dated 26.06.2014 passed by a co-ordinate Bench of this Court, the petitioner is depositing ₹750/- per months before the learned court below regularly.

Considering the nature of accusation, 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. 572 of 2013
pending in the court of learned CJM, Purnea.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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