

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38799 of 2015

Arising Out of PS.Case No. -245 Year- 2013 Thana -JOGAPATTI District-
WESTCHAMPARAN(BETTIAH)

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1. Jitendra Yadav son of Baidyanath Yadav, resident of village-
Lachhnauta, P.S.- Jogapatti (Shanichari), District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rita Devi wife of Jitendra Yadav and daughter of Sri Suresh Yadav,
resident of village- Bagahi, Gyani Ji Ke Tola, P.S.- Bairiya, District-
West Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Rina Sinha(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

7 01-08-2016 The petitioner being husband of the

informant is apprehending his arrest in a case registered for
the offences punishable under Sections 498A, 504/34 of the
Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

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

On submission of the counsel for the
petitioner that informant after deserting the petitioner has
performed second marriage, notices were issued to the
informant vide order dated 26.08.2015. The office note dated
29.01.2016 reflects that notices were received by the father of
the informant. Thereafter fresh notices were issued to the
informant/O.P. No. 2 vide order dated 11.02.2016. Second time

the notices were received by the brother of the informant.

A supplementary affidavit has been filed to the effect that informant is joint with her brother.

In the circumstance, the notices issued to the informant/O.P. No. 2 is treated to be a deemed valid service.

It is submitted by learned counsel for the petitioner that informant is deliberately not appearing since she has performed second marriage.

Considering the nature of accusation and the fact that informant chose not to appear after valid service of notice, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in connection with Yogapatti (Shanichari) P.S. Case No. 245 of 2013, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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