

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29574 of 2016

=====

Rakesh Shrivastava Son of Dudh Nath Prasad R/o At present Plot No. 127
C S K - 1 Sector 93 Noida, District - Gautam Budh Nagar, U.P..

.... Petitioner/s

Versus

1. The State of Bihar.
2. Puja Srivastava W/o Rakesh Srivastava, D/o Surendra Srivastava R/o at
Village + P.O. Sidhwalia Ward No. 14 behind the Sugar Mill gate near
Haunman Temple, P.S. Sidhwalia, District - Gopalganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr. Sri Ajay Kumar Jha, APP

=====

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 21-10-2016

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 has been taken for the offences punishable under Section 498A of the Indian Penal Code.

The basic accusation is of torture.

It is submitted by the learned counsel for the petitioner that the petitioner admits his marriage with the complainant and is ready to keep her as wife with full dignity and honour, statement to that effect has been made in para 11 of the petition which reads as follows:-

“That it is submitted that petitioner is always ready to lead happily with opposite party no.2/wife with dignity and honour.”

It is further submitted that similar was the stand of the petitioner before the learned court below when the petitioner was granted provisional anticipatory bail for one month but since the issue could not be reconciled, ultimately the prayer for anticipatory bail was rejected. It is very fairly submitted that the petitioner furnished bail bonds in pursuance to the provisional anticipatory bail granted to the petitioner.

In the circumstance, this Court is not inclined to entertain the present anticipatory bail application.

However, keeping in view of the present stand of the petitioner, let the learned court below consider the prayer for bail of the petitioner if he surrenders within a period of six weeks in connection with Trial No. 957 of 2016 pending in the court of learned CJM, Gopalganj.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--