

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 33409 of 2014

Arising Out of Complaint Case No. -165 C Year- 2013 Thana -PATNA COMPLAINT CASE
District- PATNA

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Makhan Lal @ Makhan Paswan, Son of Mohan Lal Paswan, R/o Village -
Hansapur, P.S. Karanday, District Sheikhpura.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Kumari, Wife of Makhan Lal @ Makhan Paswan, R/o Village
Hansapur, P.S. Karanday, District Sheikhpura, D/o Ram Kumar Das, R/o
Village Bahrawa, P.S. Barh, District Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 16-03-2016

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in Complaint Case No.
165C of 2013 instituted under Sections 498A of the Indian Penal
Code and 3/4 of the Dowry Prohibition Act.

Pursuant to order dated 17.02.2016, a report has
been submitted by the learned Sub-Divisional Judicial Magistrate,
Barh, Patna explaining the circumstances under which the order
dated 17.02.2016 passed in the present proceeding has not been
complied with. From the report it appears that despite the Court
directing the complainant to appear on 29.02.2016 and the order
also shown to the learned counsel for the complainant, despite her
filing appearance she did not appear and the next date was fixed
for 02.03.2016 on which day also she did not appear. The order

was also seen by the learned counsel for the complainant. However, on the next date i.e., 05.03.2016, she did not appear and on the next date i.e., 10.03.2016 also she did not appear and thus the Court has inferred that the complainant was neither willing to live with the accused husband nor being ready for amicable settlement and perhaps wants to continue with the litigation.

In the aforesaid background, this Court as well as the Court below despite making repeated efforts to secure appearance/attendance of the opposite party no. 2, but she not cooperating, in absence of any objection from her part, the provisional bail granted to the petitioner earlier by order dated 13.11.2014 stands confirmed.

The application stands disposed off.

(Ahsanuddin Amanullah, J.)

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