

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12107 of 2016

Arising Out of PS.Case No. -297 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIFF)

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1. Gopal Kumar @ Chunu Kumar son of Shambhu Singh, Resident of
Village Ghosrawan, P.S. Giriyak, District- Nalanda

.... Petitioner/s

Versus

1. The State of Bihar
2. Priyanka Kumari, D/o Mukesh Singh, resident of village- Dakhin Gaon,
P.S.- Wazirganj, District- Gaya

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Avnish Kumar
For the Opposite Party/s : Mr. Mukesh Kr. Singh (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 01-09-2016 The petitioner being husband of the informant is apprehending his arrest in a case registered for the offences punishable under Section 498A 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.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the informant but submits that informant after marriage stayed only for fifteen days in the matrimonial house and thereafter deserted the petitioner and after one and half year of marriage the present case was lodged. It is further submitted that informant concealed this fact that she was earlier married with one Chandan Kumar and the marriage has still not been

dissolved.

The notices were issued to the informant/O.P. No. 2 vide order dated 11.03.2016. The notices on behalf of the informant were received by the grand-father of the informant. Hence, vide order dated 28.07.2016 the notices issued to O.P. No. 2 were treated to be deemed valid service. Today, none is appearing on behalf of the informant/O.P. No. 2.

Considering the aforesaid facts, 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 Judicial Magistrate, Biharsharif, Nalanda in connection with Giriyak P.S. Case No. 297 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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