

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47719 of 2015

Arising Out of PS.Case No. -538 Year- 2010 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Rajesh Ram, son of Jaddu Ram, resident of village Kadhio P.S. Mahua
District Vaishali.

.... Petitioner

Versus

1. The State of Bihar.
2. Renu Devi D/o Soman Ram, resident of Village - Khanpatti, P.S. Mahua,
Dist - Vaishali.
3. Soman Rai, resident of village- Khanpatti, P.S. Mahua, District- Vaishali

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Smt. Anuradha Singh

For the Opposite Party/s : Mr. Abhay Kr. Roy(App)

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

5 23-11-2016 Sri Mukesh Kumar Singh, learned counsel submits

that since Smt. Anuradha Singh, learned counsel, who had filed

Vakalatnama on behalf of the petitioner, has become a law officer,

she is not in a position to appear on behalf of the petitioner and on

her instruction, he has appeared in the present case.

Heard Sri Mukesh Kumar Singh, learned counsel

appearing on behalf of the petitioner, Sri Abhay Kumar Roy,

learned Addl. Public Prosecutor and Sri Sunil Kumar Singh,

learned counsel, who has appeared on behalf of Opp.Party no.3,

father of Opp.Party no.2.

The petitioner, apprehending his arrest in



Complaint Case no.538/2010/ Tr.No.1811/2015 registered for the offence under Section 498A of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, has approached this Court for grant of anticipatory bail. By order dated 08.10.2015, a Bench of this Court, while permitting learned counsel for the petitioner to add the father of the complainant as Opp.Party no.3 and directing for issuance of notice to Opp.Party no.3, directed not to take coercive steps against the petitioner.

It was submitted by learned counsel for the petitioner that the petitioner comes from labour class and for earning livelihood, he was away. Subsequently, when he noticed regarding pendency of the present case, he approached this Court for grant of anticipatory bail. He submits that in view of allegation made in the complaint petition, it appears that there was family dispute. He further submits that after filing of the complaint petition, only three months thereafter the complainant died due to natural death in her parents house and, thereafter, her father filed a petition for permitting him to pursue the present case.

Learned Addl. Public Prosecutor and learned counsel for Opp.Party no.2 have opposed the prayer for grant of anticipatory bail. However, keeping in view the fact that earlier interim order was passed in favour of the petitioner, for

appropriate disposal of the complaint case, it would be necessary to allow the privilege of anticipatory bail to the petitioner so that he may appear before the court below. Accordingly, if the petitioner, namely, Rajesh Ram surrenders before the court below within six weeks from today, the petitioner may be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Vaishali at Hajipur in connection with Complaint Case No. 538 of 2010 with a direction that the petitioner shall render full co-operation to the court below during the proceeding in the complaint case.

(Rakesh Kumar, J)

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