

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6049 of 2017

Arising Out of PS.Case No. -735 Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

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1. Chandan Paswan, son of Late Bandeshwar Paswan, Resident of
Mohalla- Begampur Nawabganj, P.S.-Khudaganj, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sangita Devi, wife of Chandan Paswan, D/o Ramkeshwar Paswan, at
present resident of village - Parthu Makhdumpur, Police Station -
Ekangarsarai, District - Nalanda.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 03-04-2017

Heard learned counsel for the Petitioner and the
State.

The Petitioner apprehends his arrest in Complaint
Case No.735-C of 2013 instituted for the offence under
Section(s) 498-A Indian Penal Code and Section 4 of the Dowry
Prohibition Act.

As per office notes, notice on Opposite Party No.2
has been validly served. She has personally received notice, but
today neither Opposite Party No.2 nor anybody on her behalf is
present in Chambers.

It has been submitted on behalf of the petitioner that
he is ready to keep the wife but none has appeared on behalf of
the Opposite Party No.2 even after valid service of notice.

It has been stated on affidavit in para 9 of the



petition that the victim girl-Opposite Party No.2 has performed second marriage with one Sonu Kumar of village-Lathuari, P.S.-Parwalpul, District- Nalanda, and she is residing with him as husband and wife.

This fact has also come in the impugned order, wherein, the learned Sessions Judge has mentioned that the husband is ready to keep the wife but the wife does not want to live with the husband.

From the Complaint Petition, it appears that there is general and omnibus allegation against the petitioner.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today in connection with Complaint Case No.735-C of 2013, he shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Hilsa, Nalanda, subject to the conditions as laid down under Section 438(2) Cr. P. C.

(Sanjay Priya, J)

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