

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48432 of 2014

Arising Out of PS.Case No. -496 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

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1. Raj Kumar Yadav S/o Late Bishu Yadav Resident of Village Jamu Kheraihiya, Tola Gair Mazurua, P.S. Jhajha, District Jamui.

.... Petitioner/s

Versus

1. The State of Bihar
2. Rambati Devi W/O Raj Kumar Yadav D/O Birbal Yadav R/O village- Jamu Kheraihiya Tola Gair Mazurua, P.S. Jhajha, District- Jamui. At present Rabati Devi D/O Birbal Yadav R/O village- Garhi, P.S. Jhajha, District- Jamui.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Binod Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

4 11-01-2017 In spite of notice the Opposite party no.2 did not appear.

Heard the learned counsel for the petitioner as well as the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 496 C of 2013 for the offences punishable under sections 498 A and 494 of the I.P.C and section 34 of the Dowry Prohibition Act.

Allegedly, the petitioner being husband of the complainant started torturing her due to non fulfillment of demand of dowry by way of cash of Rs. 30,000/- and one Hero Honda



Motorcycle and further on 20.01.2013 all the accused persons assaulted and ousted her from the in-laws house and thereafter again the complainant along with her father and witnesses went to the house of the petitioner on 10.03.2013 but the petitioner refused to keep her and he also told that if his demand is not fulfilled he will perform second marriage.

Submission is of false implication, the complainant was the wife of Karu Yadav of village Harna P.S. Jhajha, District-Jamui and in the year 2001 she also filed a Complaint Case No. 618 C of 2001 against her husband and other in-laws, the complainant is cunning, dishonest and fraud lady, on 10.04.2013 she along with bad elements looted away all ornaments for which Complaint Case No. 511 C of 2013 has been filed, the instant case is a pressure tactics, the petitioner is still ready to keep the complainant.

The learned A.P.P. submits that the petitioner is admitting that he is husband of the complainant and as such the petitioner being husband does not deserve pre-arrest bail.

In the facts and circumstances as stated above, considering that inspite of notice the opposite party no.2 has not appeared to controvert the submission of defence, the petitioner was appeared and granted interim relief by order dated 02.04.2015



and as such the petitioner, in case of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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. S.D.J.M. Jamui in connection with above mentioned case, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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