

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.45966 of 2017**

Arising Out of PS.Case No. -445 Year- 2015 Thana -SHEKHPURA COMPLAINT CASE District-  
SEKHPURA

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Pramod Yadav @ Pramod Kumar S/o Lakhan Yadav R/o Kathotari, P.O.  
Dosat, P.S. Warsaliganj, District Nawada.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Laali Devi D/o Shivnandan Yadav R/o Village Datuara, P.O. Ghuskuri,  
P.S. Ariyari, Dist. Sheikhpura.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Dilip Kumar

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**

ORAL ORDER

03/ 04-04-2018

Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner being the husband of the complainant has renewed the prayer for anticipatory bail in a complaint case, wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Sections 323, 341, 498A, 504 and 379/34 of the Indian Penal Code.

The basis accusation is of torture.

The petitioner admits his marriage with the complainant and is ready to keep the complainant as wife with full dignity and honour. Statement to that effect has been made in



paragraph 7 of the petition, which reads as follows:-

“That it is humbly submitted that the petitioner who is husband of the complainant is ready to keep his wife with full dignity.”

The petitioner and other family members preferred anticipatory bail vide Cr. Misc. No. 14411 of 2016 which was disposed of vide order dated 01.09.2016 since only the summons were issued with liberty to the petitioner to surrender and pray for regular bail in view of the ratio laid down in the case of **Salim Ansare alias Md. Salim Ansare and Others Vs. The State of Bihar & Another** reported in *PLJR 2015(3) 806* and it was observed that learned Court below will consider the prayer for regular bail of the petitioner and dispose of the same preferably on the same day.

It is submitted by learned counsel for the petitioners that the other petitioners surrendered and were granted bail but the petitioner could not surrender and hence, the present second anticipatory bail application. It is further submitted that non-bailable warrant of arrest has now been issued against the petitioner.

Considering the fact that earlier anticipatory bail application was disposed of on 01.09.2016 and the present



application has been registered on 18.09.2017, this Court is not inclined to interfere. But keeping in view the fact that the petitioner admits his marriage and is ready to keep the complainant as wife with dignity, it is a case for consideration of prayer for regular bail by learned Court below, if the petitioner surrenders before the learned Court below within a period of six weeks in connection with Complaint Case No. 445C of 2015 pending in the Court of learned ACJM 1<sup>st</sup>, Sheikhpura.

Accordingly, this application is disposed of.

**(Dinesh Kumar Singh, J)**

DKS/-

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