

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18655 of 2018

Arising Out of PS.Case No. -21 Year- 2015 Thana -MAHILA P.S. District- LAKHISARAI

=====

1. Raushan Deep, S/o Shambhu Nath Singh, R/o Village-Alinagar, P.S.-
Surajgarha, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rama Rani, W/o Raushan Deep, R/o Alinagar, P.S.- Surajgarha,
District- Lakhisarai.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Jainendra Kumar, Advocate

For the Opposite Party/s : Mr. Satyadev Prasad Singh Yadav, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 25-07-2018

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner apprehends his arrest in **Mahila P.S. Case No.21 of 2015** instituted for the offence under Section(s) 498-A/34 Indian Penal Code and Section 3 of the Dowry Prohibition Act.

Notice has validly been served upon the Opposite Party No.2, but none has appeared on behalf of the Opposite Party No.2.

Petitioner is husband of the Opposite Party No.2-informant. Today, a Supplementary Affidavit has been filed stating that Opposite Party No.2 is living in the house of the petitioner. The petitioner and his parents including two daughters



born out of the wedlock of petitioner and Opposite Party No.2 are living at *Bathan* in a temporary house. In support of such statement, letter of the Sarpanch of village Alinagar is annexed as Annexure-A. It is also mentioned in the Supplementary Affidavit that Opposite Party No.2 has lodged another case against this petitioner and his parents to harass them and put pressure to handover the property. Counsel for the petitioner further submits that two daughters born out of the wedlock of the petitioner and the Opposite Party No.2 are living with this petitioner, who is taking care of them. Opposite Party No.2 is not taking care of them. Petitioner has annexed the certificate of the school, in question, showing that petitioner being the father is taking care of them.

It appears that Opposite Party No.2 is only harassing the petitioner and his family members.

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 **Mahila P.S. Case No.21 of 2015**, he shall 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 the **Sub-**



Divisional Judicial Magistrate, Lakhisarai, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

JA/-

U		T	
---	--	---	--

