

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58082 of 2017

Arising Out of PS.Case No. -1334 Year- 2009 Thana -COMPLAINT CASE District- ARRARIA

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1. Chandan Singh, S/o Sri Kali Singh, resident of Village- Rahikpur (Khawaspur), P.S.- Simraha (Forbesganj), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Urmila Devi, D/o Ram Prakash W/o Chandan Singh, Resident of Village- Dabhara, P.S.- Tarawari, District- Araria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Shankar Sah

For the Opposite Party/s : Mr. Sri Shyam Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

4 09-05-2018

Heard.

The petitioner has renewed his prayer for anticipatory bail in a case registered for the offence under Section-498A of the IPC.

Earlier the petitioner had preferred Cr. Misc. No. 50196 of 2015 with a prayer for grant of anticipatory bail which was registered on 27-10-2015 and on the submission of learned counsel for the petitioner, by order dated 30-10-2015, notices were issued to the complainant (opposite party No. 2) and he was directed not to take coercive steps against the petitioner. On valid service of notice to Opposite Party No. 2 , the matter was listed on 01-04-2016 but none appeared in the matter, hence, the matter was



adjourned to 09-05-2016 and on that date also, none appeared, as a result, the matter was adjourned to 18-07-2016 and though the matter came on board on 20-07-2016 but none appeared as a result, again the matter was adjourned for 21-08-2016 but it was submitted by Mr. Ambika Bhagat, learned counsel for the petitioner (since deceased), that he may be permitted to withdraw Cr. Misc. No. 50196 of 2015 as he has not received any instruction from the petitioner . Hence vide order dated 02-08-2016, the court dismissed the Cr. Misc. Application. The present application does not depict the reasons for not giving the instruction to the earlier lawyer and allowing the application to be withdrawn.

Prosecution case as per complaint case of the complainant Urmila Devi is to the effect that she was married with the petitioner on 20-06-2007 but subsequent to the marriage, further dowry demand was made and ultimately, after snatching her ornaments, the complainant was driven out from the matrimonial house.

It is submitted by learned counsel for the petitioner that there is certain misconception between the spouses, however, the complainant has performed second marriage with Suresh Chouhan without the first marriage being dissolved but still the petitioner is ready to keep the complainant with him with full dignity and



respect.

The application does not depict the reasons for withdrawal of the earlier application. Moreover, present application suggests no fresh ground for renewal of prayer for anticipatory bail. Hence, this court finds no reason to entertain this second anticipatory bail application.

However, keeping in view that the petitioner is still ready to keep the complainant with him with full dignity and respect, the learned court below may consider the prayer for bail of the petitioner if he surrenders before the court below within six weeks from the date of receipt/production of copy of this order and seeks regular bail.

Accordingly, this application is disposed of.

(Dinesh Kumar Singh, J)

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