

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7580 of 2019**

Arising Out of PS. Case No.-3218 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Satendra Kumar Ray @ Satendra Kumar Rai @ Satendra Rai(male), aged about 27 years, son of Rameshwar Ray, resident of village-Madhul Harpur Chand, P.S-Desari, District- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. Sarita Devi W/o Satendra Kumar Ray @ Satendra Kumar Rai @ Satendra Rai , D/o Ram Babu Ray, resident of village-Madhaul Harpur Chand, P.S-Desari, District- Vaishali

... .. Opposite Parties

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Appearance :

For the Petitioner/s	:	Mr. Y.C. Verma, Sr. Adv. Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER**

4 05-04-2019 Heard Sri Y.C. Verma, learned senior counsel, assisted by Sri Anuj Kumar, learned counsel for the petitioner and Sri Satyendra Narayan Singh, learned Addl. Public Prosecutor.

Today again, none has appeared on behalf of the complainant/opposite party no. 2. Yesterday also, there was non-appearance on behalf of opposite party no. 2 and, as such, it was indicated that if again, no one appears on behalf of the complainant, the Court may propose to decide the case on the basis of material available on record. Earlier by order dated 11-02-2019, notice was directed to be issued to opposite party



no. 2 (wife of the petitioner), thereafter she was represented through her counsel, but continuously, none had appeared on behalf of the complainant.

Sri Verma, learned senior counsel appearing on behalf of the petitioner submits that of course, in the complaint petition, demand of dowry as well as torture has been alleged, but fact remains that the petitioner still was ready to settle all dispute, however the complainant/opposite party no. 2, it appears that instead of settling the dispute, is adamant to unnecessarily prosecute the petitioner.

Considering the fact that repeatedly, none had appeared on behalf of the complainant, an inference can be drawn that complainant is not interested to settle the dispute.

In such view of the matter, there is no reason to refuse the prayer for grant of anticipatory bail. Accordingly, in the event of his arrest or surrender within a period of six weeks from today, let the petitioner, namely, Satendra Kumar Ray@Satendra Kumar Rai @ Satendra Rai be enlarged on bail on furnishing bail-bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Vaishali at Hajipur in connection with Complaint Case No. C1 3218 of 2017, subject to the condition as laid



down under Section 438(2) of the Code of Criminal Procedure.

(Rakesh Kumar, J.)

nawalkrs/-

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