

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11054 of 2019

Arising Out of PS. Case No.-404 Year-2014 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Ajay Kumar Giri Son of Jay Kishor Giri R/o village- Gawpur
(Harisinghpur) , P.S- Sarairanjan , Dist- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonam Devi Wife of Ajay Kumar Giri Presently residing with her Father Sri Arun Giri of Village- Pachpaika, P.S- Ujiarpur, Dist- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 30-07-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in connection with
Complaint Case No. 404 of 2014 registered for the offence
under Sections 498A and 494 of the Indian Penal Code.

Allegation as per the complaint filed by O.P. No. 2
that the marriage of complainant was solemnized with the
petitioner on 14.05.2003. It has further been alleged that after
marriage the complainant went to her Sasural and after about 20
days family members of the petitioner including the petitioner
started demanding Rs.50,000/- as dowry and threatened the
complainant to kill her in case the demand was not fulfilled. It
has further been alleged that the petitioner married with a



second lady, namely, Arti Devi and the complainant was left at her Maiyaka after keeping all belongings of the complainant by the petitioner and others.

Mr. Abhay Shankar Singh, learned counsel for the petitioner submits that after about 11 years of marriage the complainant present malafide complaint has been lodged by the wife of the petitioner. Learned counsel further submits that notice was issued to O.P. No.2, i.e. wife but despite several efforts she refused to receive notice and dasti notice was tried to be served upon her but she refused to accept the same and is not coming forward before this court. Learned counsel for the petitioner submits that wife is not interested in any kind of reconciliation. As such, the petitioner may be given privilege of grant of anticipatory bail.

After having heard learned counsel for the petitioner and learned A.P.P. for the State and taking into consideration the fact that despite notice O.P. No.2 evaded the notice and refused to accept the same on several occasions and is not willing to come forward before this court for any reconciliation or negotiation, and further after 11 years of marriage a general and omnibus allegation has been levelled against the petitioner, accordingly, I am inclined to grant anticipatory bail to the



petitioner. Let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Dalsingsarai, in Complaint Case No.404 of 2014 subject to the conditions as laid down under Section 438(2) of Cr.P.C.

(Anil Kumar Sinha, J)

Aks/- rahul

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