

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23351 of 2019

Arising Out of PS. Case No.-1445 Year-2017 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

=====

JITENDRA KUMAR @ JITENDRA PANDIT Son of Late Lakhan Pandit
Resident of Village - Miyari, P.S.- Sarairanjan, Distt - Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Kumari Wife of Jitendra Pandit, Daughter of Baldev Pandit, Resident of Village- Miyari, Police Station- Sarai Raiyar, District- Samastipur, Present resident of Gounnudpur, P.S. Mansoorchak, District- Begusarai

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 23-07-2019 In this case earlier notice was issued to O.P.no.2 and the office notes dated 23.5.2019 discloses that the service report kept at flag 'A' discloses that O.P.no.2 has received notice and put her signature but up till now nobody appears on behalf of O.P.no.2 nor Vakalatnama has been filed.

Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with Complaint Case No.1445©/2017 , registered for offences punishable under Section 4 of the D.P.Act.

Allegation against the petitioner is of torturing his wife-complainant with respect to demand of Rs.01 lac and Colour T.V. and also threatening to kill her.



Submission of the learned counsel for the petitioner is that he is still ready to keep her with dignity and care and allegations are false and concocted and for that purpose he has filed a petition under Section 9 of the Hindu Marriage Act for restitution for the conjugal right and that is pending at the stage of reconciliation.

In this case notice was issued to O.P.no.2 as discussed above but O.P.no.2 in spite of valid service of notice has not appeared .

Heard learned A.P.P. also.

In such view of the matter, let the petitioner surrender before the learned court below, and on surrender he will be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Begusarai in connection with Complaint Case No.1445C/2017, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

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

