

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28246 of 2019**

Arising Out of PS. Case No.-621 Year-2008 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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ANIL MANDAL @ ANIL KUMAR MANDAL S/o Jogi Mandal Village-
Pahar Tole, P.S.- Mirganj, District- Purnea

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Shila Devi W/o Jogi Mandal, D/o Basudeo Mandal R/o Patwar, Kaplasiya,
P.S.- Falka, District- Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Suresh Prasad Sah @ Baranwal

For the Opposite Party/s : Mr.Ajay Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER**

4 15-07-2019 Heard learned petitioner as well as learned counsel
appearing on behalf of the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 621 of 2008, disclosing offences
under Section 498A of the Indian Penal Code and Section 4 of
the Dowry Prohibition Act.

Petitioner happens to be husband and allegation as per
complaint petition is that petitioner was living in Punjab and in
absence, other accused person assaulted her and they were also
abating the petitioner to assault her and they also tried to set the
complainant on fire and ultimately ousted from the house.

Submission of learned counsel for the petitioner is



that from the complaint petition itself it is evident that no specific allegation has been attributed to the petitioner and according to the complaint, the petitioner was living in Punjab.

It appears that earlier notice was issued to opposite party no. 2 and office note discloses that opposite party no. 2 herself received notice but none has appeared on behalf of opposite party no. 2 and even no Vakalatnama has been filed on her behalf.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Katihar, in connection with Complaint Case No. 621 of 2008, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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