

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37347 of 2019

Arising Out of PS. Case No.-23 Year-2019 Thana- MAHILA P.S. District- Bhojpur

Shailendra Kumar Ram @ Shailendra Kumar, Son of Surendra Kumar Ram,
Resident of Village - Simri Dudhi Patti, P.S.- Simri, Dist.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Roshni Kumari @ Roshni, Devi Wife of Shailendra Kumar Ram, D/o
Jaiprakash Prasad, Resident of Village - Parsaudha, P.S.- Shahpur, Dist.-
Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 20-09-2019 This is an application for grant of anticipatory bail in connection with Mahila P. S. Case No. 23 of 2019, disclosing offences under Sections 498A, 120B, 34 of IPC and Section 3/4 of Dowry Prohibition Act.

Prosecution case is that informant was married with the petitioner and sometimes after marriage, they demanded Rs.5,00,000/-, due to non-fulfillment of said demand, she was subjected to torture and cruelty.

Submission of the learned counsel for the petitioner is that the whole allegation is false and concocted. As a matter of fact, she is not ready to live with the petitioner and earlier he has also taken step to pursue her to reside with him. Later on, he has



also filed a Matrimonial Case No. 303 of 2018, under Section 9 of the Hindu Marriage Act, but she has not appeared and he is still ready to keep her with dignity and care.

Heard learned A.P.P. also.

In this case, earlier notice was issued to the opposite party no.2 and it appears that the opposite party no.2 has also appeared and filed Vakalatnama, but nobody appears on behalf of the opposite party no.2 on the last date, when the case was taken up, i.e. 06.09.2019, today also nobody appears on her behalf. No doubt, from the impugned order, it appears that petitioner has been given a chance to bring her back, but he could not avail its chance.

Having heard both sides, considering the above submissions, this application is allowed. The provisional bail granted to the petitioner, vide order dated 19.06.2019 is confirmed with condition that in future, if the opposite party no.2-informant is ready to reside with him, he has to keep her with dignity and care.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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

