

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47117 of 2019**

Arising Out of PS. Case No.-1549 Year-2018 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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GORAKH DUBEY @ GORAKHNATH DUBEY Son of Late Bali Dubey,
Resident of Village - Bigahi Varishal, P.S.- Mirganj, Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Seema Devi Wife of Rakesh Dubey, Resident of Village Bigahi Varishal, P.S.- Mirganj, Dist.- Gopalganj. At present Nripat Chapar, P.S.- Kateya, Dist.- Gopalganj.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Lokesh Kumar Singh, Adv.
For the informant	:	Mr. Vyash Kr. Mishra, Adv.
For the Opposite Party/s	:	Ms. Shaheen Begum, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

4 16-11-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint Case No.1549 of 2018 for the offences allegedly committed by the petitioner under Sections 498A and 323 of the Indian Penal Code.

The complainant alleged that she was married with Rakesh Dubey on 07.11.2006. Her husband lives in Punjab to earn his livelihood. It is further alleged that her father-in-law (petitioner), on one pretext or the other, wanted to outrage her modesty.

Learned counsel for the petitioner submits that the



husband of the complainant has already been granted anticipatory bail. The complainant named her father-in-law and other in-laws including her husband as accused in the complaint petition but the complainant made very filthy allegation against the petitioner. The petitioner is an old man and he cannot imagine to have bad eyes on her daughter-in-law. The petitioner is living separately. The complainant wanted to go outside her house to live with her husband and when her husband did not take her with him, the complainant filed this complaint petition making such filthy allegation against the petitioner.

Learned counsel for the complainant and learned APP, however, opposed the prayer for anticipatory bail of the petitioner.

Perused the complaint petition. The petitioner is father-in-law of the complainant. The marriage of the complainant was solemnized in the year 2006 and the complainant filed the complaint petition only after 12 years of her marriage. The complainant made very filthy allegation against her father-in-law. On the face of it, it appears that the father-in-law usually do not behave in such manner with her daughter-in-law.

Having considered the facts and the nature of



allegation made against the petitioner, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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.-XVI, Gopalganj in connection with Complaint Case No.1549 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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