

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53541 of 2019

Arising Out of PS. Case No.-772 Year-2004 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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LALAN PRASAD @ JAGDISH PRASAD @ JAGDISH NARAYAN S/o
Govind Prasad R/o Mohalla- Chawal Bazar, Raxaul, P.S.- Raxaul, District-
East Champaran

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Neelam Devi D/o Laxmi Prasad Sah Permanent resident of Mohalla- Chawal Bazar, Raxaul, P.S.- Raxaul, District- East Champaran, At present Resident of Village- Turkaulia, Asarfi Sah Ka Tola, P.S.- Turkaulia, District- East Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Binod Kumar Mishra
For the Opposite Party/s : Mr.Rita Verma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-08-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. C-772 of 2004, disclosing offences under Sections 498A, 406, 323, 504 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation of demand and torture against the petitioner and other accused persons. It further appears that in the complaint case some process was issued against the petitioner on 29.09.2004 and after 14 years petitioner has come for filing of the anticipatory bail application.

Submission of the learned counsel for the petitioner is that there is not an iota of evidence against the petitioner in the



complaint petition and he is residing outside and he has no knowledge about the same, due to that he could not appear.

Heard learned A.P.P. also who has opposed the prayer for bail stating that process under Sections 82 & 83 of Cr.P.C. has been issued and due to non appearance of the petitioner, same has also been exhausted and as such, in view of the above conduct of the petitioner, he does not deserve for anticipatory bail.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner may move before the learned court below for regular bail which will be considered by the learned court below, on its own merit, and if possible, be disposed of on the same day.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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