

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.732 of 2019

Arising Out of PS. Case No.-43 Year-2010 Thana- NALANDA District- Nalanda

Mukesh Raj @ Santosh Sao, Son of Saryug Saw, Resident of Village -
Giriyak, P.S. Giriyak District - Nalanda.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rinku Devi, Wife of Mukesh Rai @ Santosh Sao, Resident of Village -
Giriyak, P.S. Giriyak District - Nalanda. A/P daughter of Ashok Sao d/o
Begampur PS and Distt. Nalanda.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabindra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Sri Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

6 01-07-2019 This is an application for grant of anticipatory bail in
connection with Nalanda P.S. Case No.43 of 2010, disclosing
offences under Sections 341, 323, 307, 379, 498A, 34 of the
Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegation against the petitioner is of demand of
motorcycle and one colour T.V., for which, subjected with
cruelty and harassment and assaulted the informant.

Submission of the learned counsel for the petitioner is
that as a matter of fact, she is not ready to reside with the
petitioner. She has married with another person and in spite of
that petitioner is still ready to keep her with dignity and care, if
she is ready.

Heard learned A.P.P. also.



In the present case, notice was issued to the opposite party no.2 but the same was received with the report that opposite party no.2 does not reside at the given address and thereafter, again notice was sent through her lawyer but in spite of that opposite party no.2 has not appeared.

In such view of the matter, let the petitioner, above named, surrender before the court below by 10.07.2019 and on surrender, the learned court below shall grant provisional bail to the petitioner for a period of six months and try to make attempt for reconciliation between the parties, after issuing notice to the opposite party no.2 and after six months considering the conduct of both the parties, the learned court below pass the order in confirming the bail bonds of the petitioner.

It is needless to say that if in spite of that notice issued to the opposite party no.2 by the learned court below and information to her lawyer, if she will not appear before the learned court below, the learned court below shall confirm the bail bonds of the petitioner.

With the aforesaid observations, this application stands disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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



