

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82515 of 2019

Arising Out of PS. Case No.-596 Year-2018 Thana- NALANDA COMPLAINT CASE
District- Nalanda

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MOHAN BIND Son of Sri Chhotan Bind Resident of Village - Paparनाusa,
P.S.- Noorsareai, Distt.- Nalanda.

... .. Petitioner

Versus

1. THE STATE OF BIHAR
2. Smt. Laxmi Devi W/o Sri Mohan Bind , D/o Sri Dewan Bind Resident of
Village - Paparनाusa, P.S.- Noorsarai, Distt.- Nalanda., At Present resident of
Dharm Bigha, P.S.- Telhara, Dist.t- Nalanda.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr.Bhola Kumar
For the Opposite Party/s : Mr.Tapeshwar Sharma

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**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN
SINGH**

ORAL ORDER

3 17-06-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of
Complaint Case No. 596(C) of 2018 for the offence punishable
under Section 498A of the Indian Penal Code and Section 4 of
the Dowry Prohibition Act.

Petitioner is the husband of opposite party No.2.
Despite service of notice, the opposite party No.2 has not
entered appearance. There is allegation in the complaint petition
that the petitioner and his family members used to demand
dowry and torture her for non-fulfillment of the said demand.

Learned counsel appearing on behalf of the
petitioner has submitted that the petitioner is willing to resolve



whatever matrimonial dispute is there between him and the complainant. He has argued that it is basically matrimonial dispute, which has resulted into lodging of the complaint case.

Be that as it may, considering the circumstance that the complainant has not appeared despite service of notice, this application is allowed.

Let the petitioner above named, in the event of his arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Hilsa, in Complaint Case No. 596(C) of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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