

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13055 of 2021

Arising Out of PS. Case No.-3102 Year-2012 Thana- GOPALGANJ COMPLAINT CASE
District- Gopalganj

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Satya Narayan Singh, Son of Rajeshwar Singh @ Rameshwar Singh, Resident of Dhobawal, P.S.- Panapur, District-Chapra (Saran)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Devi, W/o Satya Narayan Singh, D/o Mokhtar Singh, Resident of Dhobawal, P.O.- Dhanekhi Bazar, P.S.- Panapur, District-Chapra, at present- Jalallpur Khurd, P.O.- Vishunpura, Bajpur, P.S.- Sidhwaliya, District- Gopalganj

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 20-07-2021 The matter has been taken up today for consideration through video conferencing.

Heard learned Counsel for the petitioner and the learned APP for the State.

As per the submission of the petitioner's counsel, in the address after description of the District as "Chapra", he has omitted to mention "Saran" due to inadvertence.

In view of the said submission, "Saran" may be added in the address of the petitioner and the address may be read accordingly.

The petitioner seeks bail in connection with



Complaint Case No.3102 of 2012 for the offences punishable under Sections 498A, 406 of the I.P.C.

The petitioner was married with the complainant on 15.05.1995. The allegation is that 4-5 years thereafter, demand was made for dowry and ultimately on 26.10.2012, the accused persons, including the instant petitioner, have refused to keep her in the matrimonial home.

Petitioner's counsel submits that provisional anticipatory bail was granted to the petitioner in Cr.Misc. No.24307 of 2014. The time for surrender was subsequently extended vide order dated 15.12.2014 passed in Cr.Misc. No.24307 of 2014 itself. The petitioner thereafter surrendered and some time later on 01.10.2016, his bail bond was cancelled as the petitioner was not represented/present. It is submitted that due to communication gap, petitioner was not aware of the way in which trial was proceeding/obstructed, and as such bail bond was cancelled. No sooner the petitioner came to know of the cancellation of the bail bond, he surrendered and is in custody since 14.10.2020.

The submission is that it is a case of false implication. Petitioner's marriage with the complainant was never consummated and in spite of all efforts made by the



petitioner, he is facing the rigours of criminal proceedings since the year 1995.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, 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., Gopalganj, in connection with Complaint Case No.3102 of 2012.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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