

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20854 of 2020**

Arising Out of PS. Case No.-2812 Year-2010 Thana- BEGUSARAI COMPLAINT CASE
District- Begusarai

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PAPPU KUMAR @ VIREN YADAV S/o Ram Baran Bhagat @ Ram Baran
Yadav Resident of Village-Aadharpur via Tajpur, P.S and District-Samastipur.
At present R/o Bhikam Singh Colony, P.S-Vishwas Nagar, Delhi-110032.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanju Kumari W/o Pappu Kumar @ Viren Yadav and D/o Ramcharitra
Yadav At present R/o Village and P.S-Beerpur, District-Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Brajesh Sahay, Advocate Mr. Amit Narayan, Advocate Mr. Abhigyan Kumar, Advocate
For the Opposite Party/s :		Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 06-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 498-A of
the Indian Penal Code and Section 4 of the Dowry Prohibition
Act.

A supplementary affidavit has been filed in which it
has been clearly pleaded that the opposite party no. 2 is residing
with her father and the father has received notice issued in
compliance of the order of the Court.



Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and is the husband. The father of the opposite party no. 2, despite receiving notice, has not appeared through a learned lawyer.

Learned counsel for petitioner submits that it has been specifically pleaded at para 8 of the anticipatory bail application that opposite party no. 2 has performed her second marriage and that perhaps is the reason why the father despite accepting the notice has not appeared.

Learned APP opposes the anticipatory bail application and submits that it is merely a pleading on affidavit that opposite party no. 2 has married and in the event, if the bail is granted to the petitioner and subsequently it comes to the notice of the court that opposite party no. 2 is unmarried then that would cause great prejudice to the opposite party no. 2.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is



pending/successor court in connection with Complaint Case No. 2812-C of 2010, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, if the opposite party no. 2, at any stage of the proceeding, comes and files an application seeking cancellation of the bail bond of the petitioner on the ground that the anticipatory bail was obtained by making a false statement before this Court then the learned court below will be at liberty to cancel bail bond of the petitioner after recording reasons.

(Satyavrat Verma, J)

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