

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83914 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- DHANARUA District- Patna

Manoj Kumar Son of Sri Tarkeshwar Singh Resident of Village- Nadwan,
P.S.- Dhanarua, Dist- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pampi Devi W/o-Manoj Kumar D/o- Late Chandrashekhar Sharma r/o vill-
Pasaudha P.S.-Sigori District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Asha Kumari

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

8 21-02-2022 Learned counsel for the petitioner is permitted to

remove defect(s), as pointed out by the office, if any, within a

period of four weeks from today.

Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection

with Dhanarua P.S. Case No. 312/2019 registered for the

offences punishable under Sections 498-A of the Indian Penal

Code.

On 01.11.2021, the following order was passed :-

*“On 18.12.2019 Mr. Arbind Kumar
Singh, learned counsel for the opposite part no. 2
had appeared but he has not appeared on
26.02.2020 and 22.10.2021.*

Learned counsel for the petitioner



submitted that this case relates to 15 years old marriage and opposite party no. 2 has remarried with someone. He stated that the petitioner is not able to get the name of second husband of opposite party no.2. In the circumstances, he prays that the opposite party no. 2 may be directed to appear personally in Court so that in the present case issue may be resolved.

Issue notice Dasti summons to opposite party no. 2 for personal appearance in this Court on 29th of November, 2021 for which process etc. shall be filed by the petitioner by 16th of November, 2021.

Petitioner shall also file affidavit showing service of notice upon opposite party no. 2 by 26th of November, 2021.

Put up this case on 29th of November, 2021.

In the meantime, interim order dated 18.12.2021 shall continue.”

Thereafter, despite service of *dasti* notice, the opposite party No. 2 is not appearing in this case.

In view of the submissions of learned counsel for the petitioner that the marriage is 15 years old, opposite party No. 2 has re-married with someone and she or her lawyer is not appearing in this court despite dasti notices have been served.

Considering the facts and circumstances, the present anticipatory bail application is allowed.

Accordingly, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two



sureties of the like amount each to the satisfaction of learned
Judicial Magistrate, 1st Class, Masaurhi, Patna, in connection
with Dhanarua P.S. Case No. 312/2019, subject to the conditions
as laid down under Section 438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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