

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47052 of 2023

Arising Out of PS. Case No.-63 Year-2019 Thana- MAHILA PS District- Darbhanga

Surendra Yadav @ Sunil Yadav Son of Late Mohan Yadav, Resident of village
- Baheri, P.S. - Baheri, Distt. - Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Manju Devi Wife of Surendra Yadav, D/o Bhuneshwar Yadav, Resident of village - Baheri, P.S. - Baheri, Distt. - Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 05-03-2024 Heard Mr. Rajeev Ranjan, the learned counsel for the

petitioner and Ms. Sucheta Yadav, the learned Additional Public

Prosecutor for the State.

2. Despite the valid service of notice upon the Opposite

Party No. 2, she did not appear before this Hon'ble Court.

3. The petitioner is apprehending his arrest in

connection with Mahila PS Case No. 63 of 2019, FIR dated

01.08.2019, registered for the offences punishable under Sections

323, 379, 498(A), 504 and 506 read with Section 34 of the Indian

Penal Code and under Section 3/4 of the Dowry Prohibition Act.

4. According to prosecution case, the informant was

assaulted and was later ousted from her matrimonial home due to

non-fulfillment of dowry demand.



5. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from perusal of the FIR, it appears that there is allegation that the petitioner has assaulted the informant, but there is no medical report which suggests that the informant has received any injury and despite valid service of notice, she has not appeared before this Hon'ble Court.

6. It appears from the record the petitioner has earlier moved before this Hon'ble Court vide order dated 15.11.2021 passed in Cr. Misc. No. 3287 of 2021, whereby direction has been given to the petitioner to appear before the learned trial Court and the learned Court below shall consider the prayer for regular bail, but it appears that the petitioner has not complied with the order dated 15.11.2021 and he has again filed for anticipatory bail which is not maintainable, in accordance with law.

7. Accordingly, the prayer for anticipatory bail of the petitioner stands dismissed.

(Rajesh Kumar Verma, J)

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