

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60013 of 2023

Arising Out of PS. Case No.-434 Year-2016 Thana- BUXAR COMPLAINT CASE District-
Buxar

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RATNESH SINGH S/O JAGANNATH SINGH R/O VILLAGE- ALAHIYA,
P.O. NIYAWAN AMDAHI, PS. UMRI BEGUMGANJ, DIST. GONDA,
UTTAR PRADESH

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRIYANKA SINGH @ ROSHNI SINGH D/O RAMBACHAN SINGH R/O
VILLAGE- SAHIYAR, PS. SIMARI, DIST. BUXAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan
For the Opposite Party/s : Mr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

5 07-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State, Mr. Rabindra Kumar.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 498A,
323, 325, 504, 406, 494, 34 of the Indian Penal Code read with
Sections 3 and 4 of the Dowry Prohibition Act.

3. The learned counsel for the petitioner submits that
from perusal of the office report dated 03.05.2024, it would
manifest that the notice on behalf of O.P. No. 2 has been
received by her husband namely Shiv Kumar Singh.

4. In view of the office report dated 03.05.2024, the
notice is deemed to have been validly served.



5. The learned counsel for the petitioner submits that petitioner, being husband, has been falsely implicated in the instant case by the complainant. It is next submitted that the complainant was in love with Shiv Kumar Singh, as such, she never intended to continue the marital relationship with the petitioner. It is further submitted that initially the notices were issued on the address furnished by the complainant in the complaint petition, but then notices could not be served, thereafter, by order dated 24.01.2024, the petitioner was directed to take steps for fresh service of notice on O.P. No. 2, accordingly, the notices were sent on the address of Shiv Kumar Singh which has been received by him on behalf of O.P. No. 2. It is also submitted that O.P. No. 2 has two children from her marriage with Shiv Kumar Singh. It is next submitted that since O.P. No. 2 has performed her second marriage without obtaining divorce from the petitioner, as such, she chooses not to appear and contest.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 trial court



within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Complaint Case No. 434(C) of 2016 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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