

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22974 of 2015

Arising Out of PS.Case No. -31 Year- 2014 Thana -MAHILA P.S. District- PATNA

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1. Shyam Prasad, Son of Sri Ramishwar Prasad, resident of Abdullahchak,
Police Station- Gopalpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Shekhar

For the Opposite Party/s : Mr. Zainul Abedin (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 18-09-2015 Heard both sides.

The petitioner seeks bail in a case under Section
498A, 377/34 of the Indian Penal Code.

The wife of the petitioner made allegation that the
petitioner assaulted her and also inserted iron rod inside her
private parts due to non-fulfillment of demand of dowry.

It is submitted that the allegation is false and
concocted. The wife of the petitioner earlier filed Gandhi Maidan
P.S. case No. 92/2012 under section 498A of the IPC and under
section 3/4 of Dowry Prohibition Act. The petitioner was granted
provisional bail. On the report of Superintendent of Police, Patna
the provisional bail of the petitioner was confirmed. The wife does
not want to live with the petitioner and that is why this false case

has been lodged.

On perusal of the records, it appears that the wife made very specific allegation that the petitioner assaulted her and inserted iron rod inside her private parts. The injury report shows that wife of the petitioner got grievous injuries on her private parts.

Considering the facts aforesaid, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J)

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