

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2453 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -CHIRAIYA District-
EASTCHAMPARAN(MOTIHARI)

=====

1. Dhiraj Kumar Son of Laxman Sah @ Kantar Sah resident of Village -
Sirauna, P.S. - Shikarganj, Distt. - East Champaran at Motihari.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar (App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

3 10-03-2015 Heard both sides.

The petitioner apprehends his arrest in Chiraiya (Shikarganj) P.S.
Case No. 119/2014, registered for the offences punishable under sections 376,
498(A) and other sections of the Indian Penal Code.

The informant/victim made allegation that her marriage was
settled with the petitioner in the year 2012. Thereafter, the petitioner
solemnized marriage with the victim in a temple and frequently established
physical relationship with her. In the year 2014, the victim came to know that
the marriage of the petitioner is settled somewhere else and he is not
intending to marry with the victim.

Dr. Amrendra Kumar, Learned Counsel for the petitioner submits
that the marriage of the petitioner was of course settled with the victim/
informant, but the victim/informant went to Maharashtra and she fled away
somewhere else and ultimately the settlement was broken. Even, during the

course of investigation the independent witnesses have stated the same facts. The allegation of establishing physical relation is palpably false. The informant is now already married to somewhere else.

On perusal of records, it appears that the victim/informant made allegation that the petitioner on the pretext of marrying with her established physical relation, but later on the petitioner refused to marry with her and demanded additional dowry.

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

However, the petitioner may surrender before the Court below within a period of four weeks from the date of receipt/production of a copy of this order and the Court below shall consider the prayer for regular bail of the petitioner without being prejudiced by order of this Court.

(Prabhat Kumar Jha, J.)

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