

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30403 of 2014

Arising Out of PS.Case No. -1422 Year- 2011 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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Gulshan Shah, Son of Raj Mohan Sah, resident of Village- Mewra, Police
Station- Kudra, Distict- Maimoor (Bhabhua).

.... Petitioner.

Versus

1. The State of Bihar.
2. Lalita Devi, wife of Gulshan Shah, resident of Village- Mewra, Police
Station- Kudra, District- Kaimur, C/o Raj Mohan Sah, Pan Shop No.
1112, Ashutosh Mukherjee Road, Kolkatta, Police Station-
Bhawanipur, Kolkatta-25 (West Bengal), presently residing at
Village-Tilauthu, Police Station- Tilauthu, District- Rohtas.

.... Opposite Parties.

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Appearance :

For the Petitioner : Mr. Prabhakar Jha, Advocate.
For the State : Mr. Ashraf Ansari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD
ORAL ORDER

4 06-02-2015 Heard learned counsel for the petitioner and learned
counsel for the complainant as well as learned counsel for the
State.

The petitioner apprehends his arrest in connection with
Complaint Case No. 1422 of 2011 registered under Section 498A
of the Indian Penal Code and Section 3/4 of Dowry Prohibition
Act.

Learned counsel for the complainant submits that
complainant Lalita Devi has already died and in this connection he
will file an affidavit. A petition may be filed before the lower
court for permission of the trial court for conducting the
prosecution.

However there is allegation against the petitioner and
others is subjecting cruelty and assaulted to the victim-wife for
demand of Rs.1,00,000/- as dowry.

Learned counsel for the petitioner submits that the allegation in complaint that she was checked up and told that she will not be blessed with child so she was asked to go to her Maika apart from other allegation.

Having regard to the facts and circumstances of the case, the above named petitioner in the event of his arrest/surrender within a period of four weeks from the date of receipt of copy of order in the court below shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Divisional Judicial Magistrate, Sasaram, Rohtas in connection with Complaint Case No.1422 of 2011, subject to condition as laid down under Section 438(2) of Cr.P.C. Further condition that petitioner will appear on each and every date fixed in this case.

m.p.

(Gopal Prasad, J)

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