

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31989 of 2014

Arising Out of PS.Case No. -1363 Year- 2013 Thana -SAMASTIPUR COMPLAINT CASE
District- SAMASTIPUR

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Anil Kumar Singh S/o Late Kanhaiya Singh Resident of Village-
vivekanand Colony, F.C.I. Road, Jashpur, P.S. and District - Jashpur, State
Chatisgarh.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Katyani Singh C/o Shivchandra Jha (Journalist), R/o Punjabi Colony,
Lane No. 1, P.S. and District - Samastipur.

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 02-02-2015 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State, as also heard learned

counsel, appearing for the informant.

The petitioner apprehends his arrest in connection with

Complaint Case No. 1363 of 2013 in which, cognizance has been taken

for the offence under Section-498A of the Indian Penal Code and

Section-3/4 of Dowry Prohibition Act.

Admittedly, the petitioner is husband of the complainant

and there is serious allegation of torturing against him.

The contention on behalf of the petitioner is that the

petitioner as well as the complainant filed Divorce Suit u/S 13(B) of

Hindu Marriage Act in the court of District Judge, Jashpur in the state

of Chhatishgarh on 01-07-2013 and after filing of the aforesaid suit, the

complainant lodged the present case on 12-07-2013. To counter the

aforesaid submission, learned counsel, appearing for opposite party No. 2 points out that the complainant as well as her other family members were made captive by the petitioner and his other family members and her signature was forcibly taken by the petitioner on plain papers and she was compelled to sign the documents of the court but immediately, after the aforesaid occurrence, she informed the local police which is evident from perusal of Annexure-A to the counter affidavit.

Taking into consideration the aforesaid facts and circumstances as well as submission of the parties, I do not think it proper to extend the privilege of anticipatory bail to the petitioner and accordingly, prayer for anticipatory bail of the petitioner in connection with Complaint Case No. 1363 of 2013 pending in the court of Sub Divisional Judicial Magistrate, Samastipur/concerned court stands rejected.

However, if, the petitioner surrenders in the court below and seeks regular bail, this order shall not cause any prejudice to the learned court below at the time of consideration of regular bail application of the petitioner.

(Hemant Kumar Srivastava, J)

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