

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 31252 of 2014

Arising out of P. S. Case No. - 49 Year - 2014 Thana - MAHILA P.S. District - SIWAN

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1. Ritesh Kumar Pandey @ Nitesh Kumar Pandey, son of Kameshwar Pandey, Resident of village - Sisai, P.S. - Goreakothi, District - Siwan
..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad, Advocate

For the Opposite Party/s : Mr. Rina Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 29-01-2015

Heard the parties.

In this application for anticipatory bail the petitioner apprehends his arrest for the offence punishable under Section 498A of the Indian Penal Code and Section 3 of the Dowry Prohibition Act.

Allegedly, the informant and petitioner were married and thereafter the petitioner started demanding cash of Rs.1,00,000/- and motorcycle and on refusal ousted the informant from in-laws house and then she filed petition before the Superintendent of Police, Siwan, which was forwarded to Mahila Police Station and accordingly, the case has been registered.

Submission is of false implication and that the petitioner is being blackmailed. No marriage has taken place with the petitioner and the alleged affidavit is only of the informant and

not of the petitioner. On the affidavit also a joint photograph has been affixed which appears to be manufactured one. The petitioner was never married with the informant and, as such, the petitioner deserves sympathetic consideration to which the learned A.P.P. opposes.

In the facts and circumstances as stated above, finding it not a fit case for pre-arrest bail, the prayer of pre-arrest bail of the petitioner stands rejected in connection with Siwan Mahila P.S. Case No. 49 of 2014 pending in the Court of learned Sub-Divisional Judicial Magistrate, Siwan. But in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular shall be considered on the same day without being prejudiced by this order.

(Jitendra Mohan Sharma, J.)

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