

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29496 of 2015

Arising Out of PS.Case No. -94 Year- 2014 Thana -DIGHWARA District- SARAN

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Rakesh Kumar Singh, Son of Ranjeet Kumar Singh, Resident of Village-
Raipatti, P.O.+P.S.- Dighwara, District- Saran.

.... Petitioner

Versus

1. The State of Bihar
2. Rupa devi @ Nikki Devi, Wife of Rakesh Kumar Singh, Resident of
Village- Raipatti, P.O.+P.S.- Dighwara, District- Saran.

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Awadhesh Kumar Mishra, Advocate.

For the Opposite Parties : Mr. Ashok Kr.Singh 1(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 03-11-2015 Heard both sides.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 498A and other Sections of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

The informant the wife of the petitioner alleged that she was married to the petitioner on 04.02.2013. After marriage she went to her Sasural her husband went to Delhi for his work as O.T. technician. Her husband returned after two months, but he did not behave with the informant as his wife. The husband and other in-laws started torturing the informant due to non-fulfillment of demand of dowry.

Shri Awadhesh Kumar Mishra, the learned counsel for the

petitioner submits that the petitioner is not at all ever subjected his wife to any sorts of torture, but the true facts are that the informant wife of the petitioner is suffering from different ailments like enlarged retroperitoneal and mesenteric lymphnodes and there is likelihood of lymphomatous malignancy. It is further submitted that the petitioner always treated but his wife abruptly left the house of the petitioner and went to her Naihar.

Having considered the facts aforesaid and the fact that the wife of the petitioner is suffering from different serious ailments such as enlarged retroperitoneal and mesenteric lymphnodes and there is likelihood of lymphomatous malignancy and the petitioner deserted his wife which compelled her to file the case, I do not feel inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

However, the petitioner, if so advised, may surrender before the court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, his prayer shall be considered on its own merit without being prejudiced by this order.

(Prabhat Kumar Jha, J.)

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