

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36251 of 2014

Arising Out of PS.Case No. -526 Year- 2012 Thana -BHABHU(KAIMUR) COMPLAIN C District-
BHABHUA (KAIMUR)

=====

Aliar Sah son of Jang Bahadur Sah, resident of village Baraura P.S.
Ramgarh District - Kaimur at Bhabua .

.... Petitioner/s

Versus

1. The State of Bihar.
2. Kalawati Devi wife of Akiar Sah , resident of village Baraura P.S.
Ramgarh District - Kaimur at Bhabua . at present Karnpura , Pipara ,
P.S. Durgawati District - Kaimur at Bhabua

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sada Nand Ray

For the Opposite Party No.1 : Mr. Damodar Pd. Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE BIRENDRA PRASAD VERMA
ORAL ORDER

2 11-02-2015 Heard the parties.

The petitioner apprehends his arrest in a criminal prosecution, based on a complaint petition vide Annexure-1 in which cognizance has been taken for offence under section 498A I.P.C.

Taking into consideration the fact that the petitioner happens to be the husband of the complainant (Opposite Party No. 2) and further taking into consideration the fact that there is specific allegation of demand of dowry and torture against the petitioner, this Court is not inclined to accede to the prayer for grant of anticipatory bail made on behalf of the petitioner in connection with Complaint Case No. 526 of 2012/ Tr. No. 2259 of 2013 pending in the court of learned Chief Judicial Magistrate, Kaimur at Bhabua. Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders in the court below within a period of four weeks from today and makes a prayer for

regular bail, then he shall be at liberty to raise all the pleas including the plea that the marriage of the petitioner had taken place about 16 years ago. If need be, the learned Magistrate shall issue notice to the opposite party no.2 and after considering the entire materials, he shall pass appropriate final order.

(Birendra Prasad Verma, J)

BTiwary/-

U			
---	--	--	--