

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19689 of 2015

Arising Out of PS.Case No. -973© Year- 2013 Thana -NALANDA COMPLAINT CASE District-
NALANDA (BIHARSHARIFF)

1. Ram Balak Kumar @ Ram Balak Yadav, son of of Dwarika Yadav,
resident of village- Badepur, P.S.- Saare, District- Nalanda

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Gopal Sharan Singh

For the Opposite Party/s : Mr. Pushpa Sinha 2 (App)

CORAM: HON'BLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 09-07-2015 Heard learned counsel for the petitioner and learned
counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences in connection with Complaint Case no. 973 (C) of 2013 punishable under Sections 498(A) and 406 of the Indian Penal Code.

Allegedly, due to non-fulfillment of demand of motor-cycle, the petitioner and others started abusing, assaulting and torturing the victim and ultimately she was ousted from her

matrimonial house after snatching all her belongings.

Submission is of false implication and that after filing of divorce case by the petitioners, this case has been lodged with wrong allegation. The petitioner has never demanded any dowry and not ever tortured the complainant and as such the petitioner deserves sympathetic consideration to which learned A.P.P. duly assisted by learned counsel for the complainant opposes by submitting that the petitioner is the husband and he is not ready to keep the complainant as his wife.

In the facts and circumstances stated above, considering the allegation attributed against the petitioner, this court is not inclined to grant privilege of pre-arrest bail and accordingly such prayer stands rejected in connection with Complaint Case No. 973 (C) of 2013 pending in the Court of C.J.M., Nalanda at Bihar Sharif.

However, in case and if so advised the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered preferable on the same day on its own merits without being prejudiced by the order of this Court.

(Jitendra Mohan Sharma, J)

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