

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21426 of 2014

Arising Out of PS.Case No. -52 Year- 2013 Thana -KHIRHAR District- MADHUBANI

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1. Uday Chandra Bhandari @ Umesh Bhandari son of Late Chalitar Bhandari, resident of village- Jhitki, P.S.- Khirhar, District- Madhubani

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dudh Nath Singh

For the Opposite Party/s : Mr. Dr. M.K.Gautam(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 12-01-2015 Heard the parties.

This is an application for anticipatory bail for the offence punishable under sections 341, 323, 376, 498 A and 379/34 of the I.P.C and ¾ of the Dowry Prohibition Act.

Allegedly the petitioner being in love with the Informant exploited her for the last three years on the pretext of assurance of marriage and ultimately the petitioner married with her, sworn affidavit of marriage and makes physical relation with her, brought her to matrimonial house and kept her for twenty days and thereafter started demanding dowry and for non-fulfillment assaulted her and went away to Delhi. Thereafter the petitioner and his family members took cash amount of Rs. 50,000/- from mother of the Informant for motorcycle and now the

petitioner is not ready to keep her. Statement of the Informant has already been recorded under section 164 Cr.P.C. wherein she has fully supported the allegation.

Submission is that the petitioner was never married with the Informant, both are co-villager and only with a view to extract money this case has been lodged. No offence under section 376 I.P.C. or section 498 A I.P.C. is made out, to which the learned counsel for the Informant and the learned A.P.P. opposed.

Considering the allegation attributed against the petitioner serious in nature, this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner stands rejected in connection with Khirhar P.S. Case No. 52 of 2013 pending in the court of C.J.M. Madhubani.

(Jitendra Mohan Sharma, J)

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