

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41638 of 2014

Arising Out of PS.Case No. -1 Year- 2014 Thana -Rohtas
Complaint Case District- Sasaram (Rohtas)

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Suresh Mahto Son of Police Mahto Resident of Village - Jatwar,
P.S.- Terari, District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar
2. Nilam Devi Wife of Suresh Mahto Daughter of Etwar Mahto
Resident of Village - Nath Bigaha, P.O.- Sakla Bazar, P.S.-
Karakat, District - Rohtas

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 10-04-2015 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner, who is husband, apprehends
his arrest in relation to Complaint Case No. 1/2014
instituted by his wife for the offences under Sections 323,
498A, 498, 467, 468, 34 of the Indian Penal Code and 3/4
of the Dowry Prohibition Act, pending before Sub-
Divisional Judicial Magistrate, Bikramganj, Rohtas.

It is, inter alia, alleged that the complainant
driven out of the house because of non-payment of
demand of Rs. 1 (One) Lac. It is also stated in complaint
that the petitioner-husband has forcibly kept one and half

year old male child born out of the wedlock. On the other hand, learned counsel for the petitioner states that it is the complainant who does not want to stay with the petitioner-husband. She had also filed some papers that she had been staying away separately out of her own free-will.

In my view, these facts established one thing that the lady has been driven out from the house and documents are being created as against her.

Be that as it may, I am not inclined to grant anticipatory bail of the petitioner. It is hereby rejected.

In the event, petitioner surrenders before the court below, the court below shall consider the matter on its own merit and pass appropriate order in accordance with law.

(Navaniti Prasad Singh, J.)

Rajeev/-

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