

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33023 of 2014

Arising Out of PS.Case No. -1199 Year- 2010 Thana -COMPLAINT CASE District- SUPAUL

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1. Md. Samid Son of Md. Kuddus @ Abdul Kuddus , Resident of Village - Mohanpur Katahara tola,Narhaiya ,P.S.. Chhatapur , Distt- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar .
2. Mehnaj Khatoon Daughter of Md. Alam resident of Village -Sohtha ,P.S. Chhatapur ,District -Supaul

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha

For the Opposite Party/s : Mr. Uday Pratap Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 15-04-2015 Heard learned counsel for the petitioner as well as learned counsel for the State.

In this application for anticipatory bail the petitioner apprehends his arrest for the offences punishable under sections 498 A, 379, 323 and 504 of the I.P.C and section 4 of the Dowry Prohibition Act.

As per the complaint petition the complainant was married with the petitioner 18 months ago and she went to her matrimonial house where dowry was demanded by way of Rs. 1,00,000/- and due to non fulfillment she was assaulted by the petitioner and lastly she was ousted from her matrimonial house.

Submission is of false implication and that the

petitioner is ready to keep her with all dignity and comfort. The petitioner has filed a case for restitution of conjugal rights and this complaint petition has been filed to give pressure.

The learned A.P.P. duly assisted by the learned counsel for the opposite party no.2 opposes prayer for pre-arrest bail by submitting that the petitioner is married with another lady and inspite of order passed by the Family Court the petitioner is not paying the maintenance amount.

Considering the allegation attributed against the petitioner and further noticing that he is husband, this Court is not persuaded to grant pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with Complaint Case No. 1199 C of 2010 pending in the court of S.D.J.M. Supaul.

(Jitendra Mohan Sharma, J)

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