

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.486 of 2015

Arising Out of PS.Case No. -7 Year- 2014 Thana -MAHILA PS District- DARBHANGA

Sushil Kumar Rai Son of Late Ramakant Rai Resident of village - Gorhari,
Police Station - Hayaghat, District - Darbhanga

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate.
For the Opposite Party (State) : Mr. Sadanand Paswan(Spl.P.P.)
For the Opposite Party no. 2 : Mr. R. Kumar

CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

7 23-07-2015

Heard learned counsel for the parties.

Having regard to the fact that the petitioner faces prosecution for offence under Sections 379, 420, 498-A, 504/34 of the Indian Penal Code and under Section 3 and 4 of the Dowry Prohibition Act and Section 3(1)(x) of the SC and ST Act, this Court, keeping in view that notices were earlier issued to the O.P. No. 2 to come out with her version as with regard to denial of marriage by the petitioner and that the learned counsel for the O.P. No. 2 has supported the allegations, this Court could have been inclined to grant privilege of anticipatory bail to the petitioner if he even while denying the marriage with the O.P. No. 2 for the time being, was willing to support O.P. No. 2.

Let it be noted that no self respecting woman would be unnecessarily making an allegation of getting married to a person.

This Court, therefore, had asked the learned counsel for the petitioner as to whether he is ready to support financially to O.P. No. 2, but the answer was given in negative.

In that view of the matter, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. The prayer for anticipatory bail is hereby rejected and the interim protection given to the petitioner by this Court in the order of this Court dated 6.7.2015 is hereby vacated.

Nothing said in this order, however, will come in the way of the petitioner in surrendering and making prayer for regular bail.

(Mihir Kumar Jha, J)

Sujit/-

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