

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29370 of 2014

Arising Out of PS.Case No. -461 Year- 2013 Thana -SIWAN COMPLAINT CASE District- SIWAN

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Narmendra Lathor @ Harendra @ Motka, S/o Brahma Lathor, Resident of Village Dhamaur, Police Station Mairwa, District Siwan.

.... Petitioner

Versus

1. The State of Bihar.
2. Kanti Devi D/o Harendra Lathor, W/o Shri Narmendra Lathor @ Motka Resident of Village Sumari, P.O. Anugrah Nagar, Police Station Mairwa, District Siwan.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Adv.
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

7 27-01-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner, apprehending his arrest in connection with Complaint Case No. C-461 of 2013 registered for the offences punishable under Section 498A of the Indian Penal Code, seeks the privilege of pre-arrest bail.

Allegedly, the petitioner being the husband of the complainant started torturing her for non-fulfillment of demand of dowry and lastly, she was ousted from her in-law's house on 06.02.2013 in pregnant condition.

Submission is of false implication. At one hand, the

petitioner is admitting the complainant as his wife and again he is denying the marriage itself.

The learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting the aforesaid fact that in one para of bail petition, the petitioner is admitting her as his wife and in another para he is denying the marriage, which itself is a cruelty.

In the facts and circumstances as stated above, finding it not a fit case for pre-arrest bail, such prayer stands rejected.

(Jitendra Mohan Sharma, J.)

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