

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48810 of 2014

Arising Out of PS.Case No. -209 Year- 2014 Thana -VAISHALI District- VAISHALI(HAJIPUR)

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Dilip Kumar Rajak Son of Shankar Rajak resident of village - Shorhatha,
P.S. Vaishali, District - Vaishali

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Nath Mishra

For the Opposite Party/s : Mr. Indu Kumari Srivastava (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 23-04-2015 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 323, 379, 498 A and 34 of the I.P.C and Section 34 of Dowry Prohibition Act.

The informant was married with the petitioner in the year, 2011 wherein ornaments, cash and other articles were given and when she went to her in-laws house petitioner and other in-laws started demanding motorcycle in dowry and due to non fulfillment she was tortured and harassed in various ways and lastly she was assaulted and ousted from the in-laws house after retaining all her belongings.

Submission is of false implication and that the petitioner is ready to keep her with all dignity and comfort, but she does not want to live with the petitioner. The petitioner has filed Divorce Case No. 127 of 2013 and as such the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner.

Considering the allegation attributed against the petitioner and further noticing the position that he is husband and he has filed divorce case also making allegation against the informant and as such this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with Vaishali (Belsar) P.S. Case No. 209 of 2014 pending in the court of C.J.M. Vaishali at Hajipur.

(Jitendra Mohan Sharma, J)

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