

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43165 of 2014

Arising Out of PS.Case No. -2860 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Sonu Kumar Gupta Son of Laxman Prasad Resident of Village - Fattehpur,
Police Station - Chanpatia, District - West Champaran

.... Petitioner/s

Versus

1. The State of Bihar
2. Sanju Devi Wife of Sonu Kumar Gupta and daughter of Ramchandar Prasad Resident of Village - Fattehpur, Police Station - Chanpatia, District - West Champaran and presently residing at Village - Piparpati, Police Station Mainatand, District - West Champaran

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7
For the Opposite Party/s : Mr. Uma Nath Mishra (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-04-2015 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner apprehending his arrest in connection with Complaint Case No. 2860C/2013 for the offences punishable under Section 498A of the Indian Penal Code, seeks privilege of pre-arrest bail.

The complainant was married with the petitioner three years back and at her in-laws house she gave birth of a daughter and thereafter a demand of Rs. 50,000/- was made and due to non-fulfillment of the demand she was tortured and lastly she was ousted from her in-laws house after snatching her

belongings.

The submission on behalf of the petitioner is of false implication and that the petitioner has filed Divorce Case No. 419/2013 as the complainant is an unsound mind lady and on several occasions she tried to commit suicide. The marriage was solemnized after suppressing all these facts and as such the petitioner deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the complainant opposes the prayer for bail by submitting that after giving birth of a female child the complainant was tortured and assaulted and lastly she was ousted from her in-laws house. The Sessions Judge has observed in his order that the complainant appears to be normal.

Considering the allegation and position of the petitioner, this Court is not persuaded to grant privilege of pre-arrest bail to the petitioner. The prayer for grant of pre-arrest bail to the petitioner stands rejected in connection with Complaint Case No. 2860C/2013 pending in the Court of the Sub-Divisional Judicial Magistrate, West Champaran at Bettiah.

(Jitendra Mohan Sharma, J)

S.Pandey/-

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