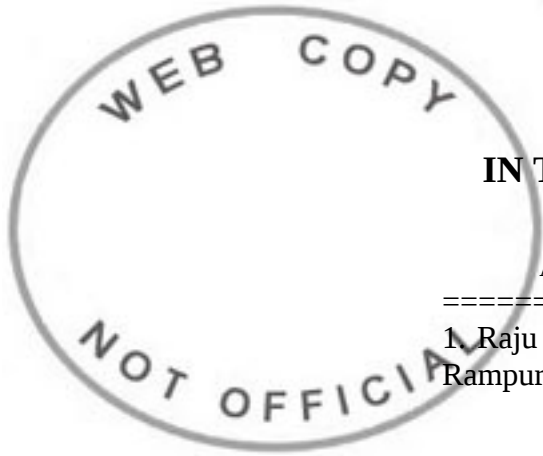




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20772 of 2014

Arising Out of PS.Case No. -9 Year- 2012 Thana -HARIZAN District- MUNGER

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1.Raju Singh Son of Rambadan Singh Resident of Quarter No. 596 C.D.,
Rampur Colony, P.S.- Jamalpur, District- Munger.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandad Prasad

For the Opposite Party/s : Mr. Sadanand Paswan (Spl.Pp.)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

6 15-01-2015 Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 341, 323, 504, 354 and 498 (A)
of the I.P.C and section 3 (i) (x) (xII) SC/ST Act.

Allegedly the informant married with the petitioner on
10.6.2010 and there was demand of Rs. 2,00,000/- as dowry by the
petitioner and due to non fulfillment she was abused, tortured and
assaulted and further in Sasural she was abused uttering his caste
and her mother was also assaulted on the hands of father of the
petitioner and uttered filthy language.

Submission is that in spite of notice the informant is not appearing. No offence under the SC/ST Act is made out as she is so called married with the petitioner. The petitioner is ready to compromise the case with the informant but she does not want to compromise and she only with a view to harass the petitioner has lodged this case. It is stated that the informant solemnized love marriage with consent of their guardian hence the offence under section 498 I.P.C. is also not made out as there was no occasion to demand dowry.

The learned A.P.P. opposes the prayer and submits that from perusal of the impugned order it reveals that the supervising authority has found the case true against the petitioner and has directed to file charge-sheet under section 376 I.P.C. also. The witnesses have also supported the prosecution case.

As the petitioner is husband and after solemnizing love marriage started torturing her due to non fulfillment of demand of dowry and as such this Court is not inclined to grant privilege of pre-arrest bail to the petitioner. Accordingly, such prayer of the petitioner stands rejected in connection with Munger SC/ST P.S. Case No. 09 of 2012 pending in the court of C.J.M. Munger.

However, in case if so advised the petitioner

surrenders and seeks regular bail then his prayer for regular bail shall be considered on the same day on its own merits without being prejudiced by the order of this Court.

Abhay/-

(Jitendra Mohan Sharma, J)

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