

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30422 of 2016

Arising Out of PS.Case No. -95 Year- 2012 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Santoo Mistry @ Sujit Kumar son of Janardan Mistry.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.

For the Opposite Party/s : Mr. Sri Sunil Kumar Pandey(APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 10-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken for the offences punishable under Sections 498A and 494 of the Indian Penal Code and 4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfillment of the dowry demand and performing second marriage. It is further alleged that earlier due to assault made by the petitioner, the teeth of the complainant were uprooted.

It is submitted by the learned counsel for the petitioner that the complainant herself deserted the petitioner.

It appears that the complaint was filed in the year 2012 and process was issued vide order dated 25.09.2012 passed by

learned SDJM, Jehanabad whereas the present anticipatory bail application has been preferred in the year 2016. Moreover, there is no denial with regard to performance of second marriage.

In the circumstances, this Court is not inclined to grant anticipatory bail to the petitioner.

Let the learned court below consider the prayer for regular bail of the petitioner if he surrenders within a period of six weeks in connection with Complaint Case No. 95 of 2012 pending in the court of learned SDJM, Arwal.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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