

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48968 of 2016

Arising Out of PS.Case No. -50 Year- 2016 Thana -MAHILA PS District- DARBHANGA

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Sanjay Lal Dev, son of Chandreshwar Lal Dev, resident of village-Tika Patti, P.S. Bahadurpur (Sonki O.P.), district-Darbhanga

.... Petitioner

Versus

1. The State of Bihar
2. Sanjeeta Devi D/O Raja Lal Dev, resident of village- Ujjaina, P.S. Baheri, District-Darbhanga

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Kedar Jha

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 07-12-2016 Heard Sri Kedar Jha, learned counsel for the petitioner and Sri Ram Anurag Singh, learned Addl. Public Prosecutor.

The sole petitioner, husband of the informant/Opp.Party no.2 , has prayed for grant of anticipatory bail in Mahila P.S. Case No.50 of 2016 registered for the offence under Sections 323, 379, 506, 498A/34 of the Indian Penal Code and Sections 3 /4 of the Dowry Prohibition Act.

At the very outset, the Court wanted to know as to whether the petitioner is still ready to keep the informant/Opp.Party no.2 as wife with full respect and dignity. Learned counsel for the petitioner, on instruction, submits that there is no possibility of settlement and the petitioner wanted one



time settlement. Meaning thereby that he wanted that there can be separation in between the petitioner and the informant. Learned counsel for the petitioner has further argued that as per F.I.R. the marriage was solemnized about 6-7 years back and after such a long time, there is allegation of demand of dowry, which is not sustainable. He further submits that incorrect allegation has been made that the petitioner is having illicit relation with another lady. It has also been argued that admittedly, there is no marital relationship in between the petitioner and the informant since last three years.

Besides hearing learned counsel for the parties, I have also perused the material on record, particularly the allegation made in the F.I.R., which suggests that it is not a case for grant of anticipatory bail. Accordingly, the petition stands dismissed.

(Rakesh Kumar, J)

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