

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14816 of 2016

Arising Out of PS.Case No. -1042 Year- 2014 Thana -AURANGABAD COMPLAINT CASE
District- AURANGABAD

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Lallu Yadav, son of Late Dina Yadav, resident of Village-Katharua, P.S.-
Aurangabad and District-Aurangabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi daughter of Sri Naresh Yadav, village-Gaura, P.S.-
Madanpur and District-Aurangabad

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anirudh Kumar Verma

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 29-04-2016

The petitioner being husband of the complainant is apprehending his arrest in a complaint case wherein processes were directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 3/4 of the Dowry Prohibition Act.

The basic accusation is of torture for non-fulfilment of dowry demand.

It is submitted by learned counsel for the petitioner that petitioner admits his marriage with the complainant but the petitioner has filed Matrimonial Suit No. 56 of 2015 on 23.04.2015 with a prayer of divorce though subsequent to filing of the present complaint. It is further submitted that summons have been issued against the petitioner.

In view of the ratio laid down in the case of **Salim Ansare @ Md. Salim Ansare and Others Vs. The State of Bihar & Another reported in 2015(3) PLJR, 806(Cr. Misc. No. 51075 of 2014)**, let learned Court below consider the prayer for regular bail of the petitioner, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 1042 of 2014, pending in the Court of learned Chief Judicial Magistrate, Aurangabad.

It is expected from the Court below to dispose of the regular bail application of the petitioner preferably on the same day.

With the observations above, the application stands disposed off

(Dinesh Kumar Singh, J)

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