

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36351 of 2016

Arising Out of PS.Case No. -141 Year- 2013 Thana -BHORE District- GOPALGANJ

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Uday Bhan Sah son of Ramashankar Sah.

.... Petitioner/s

Versus

State of Bihar & Anr

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Upadhyay, Adv.

For the Opposite Party/s : Mr. Sri Mritunjay Kumar Nirala, APP.

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 23-08-2016

Heard learned counsels for the petitioner and the State.

The petitioner being the husband of the informant has renewed his prayer for anticipatory bail in a case registered for the offences punishable under Sections 498A, 406 and 386 of the Indian Penal Code and 3/4 of the Dowry Prohibition Act.

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

It is submitted by the learned counsel for the petitioner that though, the petitioner's anticipatory bail application was rejected vide order dated 20.10.2014 passed in Cr. Misc. No. 25541 of 2014 but since subsequent to the above order, the learned court below awarded maintenance to the informant and the petitioner is making payment of the maintenance amount, the petitioner has renewed his prayer for anticipatory bail. It is further

submitted that the petitioner is still ready to keep the informant as wife with full dignity and honour, statement to that effect has been made in para 9 of the petition which reads as follows:-

“That the petitioner is ready to keep his wife (complainant) with full dignity and honour if she will co-operate and lives in her matrimonial house with peace.”

It is further submitted that the petitioner has not performed second marriage, statement to that effect has been made in para 16 of the petition.

Considering the fact that petitioner's earlier anticipatory bail application was rejected, this Court is not inclined revise the same.

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 Bhorey P.S. Case No. 141 of 2013 pending in the court of learned SDJM, Gopalganj.

Accordingly, the application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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