

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.473 of 2016

Arising Out of PS.Case No. -1018 Year- 2008 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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1. Raj Kumar Sah @ Raju Kumar Sah Son of Ashok Kumar resident of Village- Fulmallik, PS Sahebpur Kamal, District Begusarai at present address resident of Village Korha Bazar, P.S. Sahebpur Kamal District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi wife of Raj Kumar Sah, D/o Shankar Sah, resident of Village- Mohraghat Pras, P.S. Alauli, District Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan
For the Opposite Party/s : Mr. A.M.P. Mehta (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-01-2016 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 Sections 498A of the Indian Penal Code and Section 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 and is ready to keep the complainant with full dignity and honour. A statement to that effect has been made in para 8 of the petition which reads as follows:-

“That the petitioner is still

having love with his wife and ready to keep her with full dignity and honour as wife but the complainant is not still ready to live with the petitioner and want to live with one Prakash Sah.”

In view of the fact that complaint was filed in 2008 and processes under Sections 82-83 Cr.P.C have already been issued, this Court is not inclined to interfere. However, considering the present stand of the petitioner, 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. 1018C of 2015, pending in the Court of learned Sub-Divisional Judicial Magistrate, Khagaria.

With the observations above, the application stands disposed off.

(Dinesh Kumar Singh, J)

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