

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47157 of 2016

Arising Out of PS.Case No. -339 Year- 2008 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Lalsa Devi @ Lalso Devi

.... Petitioner/s

Versus

1. State of Bihar
2. Puspa Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Ram Sevak Choudhary

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH

ORAL ORDER

2 27-10-2016

Heard learned counsels for the petitioner and the

State.

The petitioner being second wife of the husband of the complainant is apprehending arrest in a complaint case wherein process has been directed to be issued after cognizance being taken under sections 323,498A and 494 of the Indian Penal Code and section 4 of Dowry Prohibition Act in 2008 itself.

The basic accusation is of torture for non fulfillment of dowry demands.

It is submitted by the learned counsel for the petitioner that the petitioner was not aware about the first marriage of her husband.

It appears that the complaint was filed in 2008. The

petitioners earlier anticipatory bail application was dismissed by the learned Sessions Judge vide order dated 11.6.2009 passed in ABP No. 292 of 2009 and thereafter the prayer was renewed before the learned court below in 2014 and now the present application has been filed before this court in 2016.

In view of the aforesaid facts, this court is not inclined to interfere in the matter. However, considering the nature of accusation, it is a case for consideration of the prayer for bail of the petitioner by the learned court below in case the petitioner surrenders within six weeks from today in connection with Complaint Case No. 339 of 2008 pending in the court of learned SDJM, Arwal.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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