

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18354 of 2016

Arising Out of PS.Case No. -241 Year- 2009 Thana -ROHTAS COMPLAINT CASE District-
SASARAM (ROHTAS)

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1. Munna Sah Son of Sri Ramayan Sah Resident of Village- Chotaki
Natwar, P.S Natwar, District Rohtas Bihar.

.... Petitioner/s

Versus

1. The State of Bihar
2. Sobghari Sah@ Somari Sah, Son of late Deen Bahur Sah Resident of
Village- Srikhinda, P.s Nokha , District Rohtas Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhanendra Chaubey

For the Opposite Party/s : Mr. Arun Kumar Singh-5(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-04-2016 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 on instruction that petitioner admits his marriage with the complainant and the complainant has retracted from the initial version. The parents of the petitioner being co-accused of the present case have been acquitted by learned Sub-Divisional Judicial Magistrate, Sasaram, Rohtas vide order

dated 17.06.2013.

Considering the fact that the case was registered in 2009 and the petitioner has been declared absconder, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. However, keeping in view of the retracted version of the complainant and the parents of the petitioner being acquitted, it is a case for consideration of prayer for regular bail, if the petitioner surrenders within a period of six weeks in connection with Complaint Case No. 241 of 2009, pending in the Court of learned Sub-Divisional Judicial Magistrate, Sasaram.

With the observations above, the application stands disposed of.

(Dinesh Kumar Singh, J)

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