

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6467 of 2017

Arising Out of PS.Case No. -49 Year- 2013 Thana -MAHILA P.S. District- SAHARSA

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Mithilesh Yadav Son of Mahendra Yadav resident of Village- Hanuman Nagar, Police Station Saur Bazar, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Sulekha Devi Daughter of Late Domi Yadav(Wife of Mithilesh Yadav)
Resident of Village - Dhamsena, Police Station Saur Bazar, District- Saharsa.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh
For the Opposite Party/s : Mr. Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 19-07-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Saharsa Mahila P.S. Case No. 49 of 2013, disclosing offences under Sections 498(A), 323, 494/34 of the Indian Penal Code and 3/4 of the D.P. Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be the husband of the complainant is still ready to keep his wife with full honour and dignity but she herself does not want to reside with the petitioner. The petitioner has never demanded any



dowry nor he has assaulted the complainant ever. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned A.P.P. for the State has opposed the prayer for bail and submitted that there is allegation of demand of dowry and non fulfillment of the same, the complainant was assaulted and ousted from her matrimonial house by the petitioner. Moreover, mediation between the parties could not be succeeded, which is evident from mediation report at flag-A.

Considering the facts and circumstances of the case, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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