

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9272 of 2016

Arising Out of PS.Case No. -2632 Year- 2013 Thana -BHAGALPUR COMPLAINT CASE District-
BHAGALPUR

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1. Brajesh Kumar @ Brajesh Kumar Sikarwar Son of Sri Birendra Narayan Singh, Resident of Flat No. 537, Sigma - 4, Sahara City, Police Station - Mango in the district of Jamshedpur (Jharkhand).

.... Petitioner/s

Versus

1. The State of Bihar.
2. Shalini Singh, Daughter of Sri Krishna Kumar Singh, Resident of Kamal Nagar Colony, Mirjan Hat, Police Station - Babargan in the district of Bhagalpur and wife of Brajesh Kumar @ Brajesh Kumar Sikarwar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhu Narayan Sharma, Advocate
For the Opposite Party/s : Mr. Suresh Pd.Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 17-03-2017 The petitioner is apprehending his arrest in connection with Complaint Case No. 2632 of 2013, registered for offences punishable under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that the whole family members have been made accused in this case including the petitioner though the case has been lodged on 18.12.2013 and his mother died on 13.12.2013. Further, it has been submitted that as a matter of fact opposite party No. 2 is not ready to reside in the family house of the petitioner and as he is an Assistant Commandant of S.S.B and he has to live on deputation



place, as such, it is difficult for him to keep his wife on deputation place and due to that the whole dispute has arose and that the demand of Maruti Swift Car was an afterthought, just to make the case serious in nature.

Learned counsel for the opposite party No. 2 submits that while granting interim protection, the petitioner specifically asserted that he is ready to keep his wife opposite party No. 2. This Court further granted two week's time to find out as to whether any possibility of amicable settlement between the parties. However, the plea taken by the petitioner that it is difficult for him to keep his wife on deputation place is misconceived, which shows that he is not ready to keep her at place of his deputation.

Heard learned A.P.P. also.

Having heard both sides and in view of the allegation made in the First Information Report and considering the attitude of the petitioner while hearing both the parties, I am not inclined to grant anticipatory bail to the petitioner. The petitioner is directed to surrender before the court below within six weeks from today and seek regular bail, if so advised. If he does so, his application for grant of regular bail shall be considered on its own merit without being prejudiced by rejection of present



application for grant of anticipatory bail.

(Vinod Kumar Sinha, J)

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