

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1921 of 2017

Arising Out of PS.Case No. -99 Year- 2016 Thana -DUMRIAGHAT District-
EASTCHAMPARAN(MOTIHARI)

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Murad Alam, Son of Md. Hadis Ansari, Resident of Village - Jalwa, Tola
(Hussaini), P.S. - Dumariya Ghat, District - East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Khusbun Kathoon, W/o Murad Alam, D/o Dukhan Ajad, R/o Vill Jalwa
Tola (Hussaini), P.S. - Dumariya Ghat, Dist. - East Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mritunjay Prasad Singh

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 15-05-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and learned counsel representing the

State.

The petitioner apprehends his arrest in connection
with Dumariyaghat P.S. Case No. 99 of 2016, registered for the
offences punishable under Sections 341, 323, 307, 498(A), 506/34
of the Indian Penal Code and Section 3/4 Dowry Prohibition Act.

The informant was married with the petitioner on
07.06.2013 and after one year of marriage the petitioner and other
in-laws started torturing her by saying that she is barren and
demanded Bolero vehicle. The petitioner and others assaulted her
brutally and stopped food and cloths. On 18.09.2016 the petitioner



and others tried to kill her by burning. Further the petitioner tried to kill by her strangulation.

Submission is of false implication and that the petitioner never demanded anything, he never tortured, the informant herself creates trouble in peaceful living, the petitioner had been so tortured that he has filed case of divorce and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner is the husband and he is responsible for all the acts.

In the facts and circumstances as stated above, considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest to him and accordingly his such prayer stands rejected in connection with Dumariyaghat P.S. Case No. 99 of 2016, pending in the Court of learned Chief Judicial Magistrate, East Champaran.

(Jitendra Mohan Sharma, J.)

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