

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6984 of 2017

Arising Out of PS.Case No. -37 Year- 2016 Thana -MAHILA P.S. District- NAWADA

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ANIL KUMAR SHARMA @ ANIL KUMAR, S/o Late Rameshwar Singh,
R/o Vill- Kajoor, P.S.- Atri, Distt- Gaya.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-02-2017 Heard the learned counsel for the petitioner as well as

the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Mahila P.S. Case No. 37 of 2016 for the offences punishable under sections 498 (A), 341, 323, 379, 494 and 504/34 of the I.P.C and section 3/4 of the Dowry Prohibition Act.

The informant Sarita Kumari was married to the petitioner in the year 1993 and after *Duragaman* the petitioner started demanding cash of Rs. 50,000/- and one motorcycle and due to non fulfillment she was tortured physically and mentally and further they used to torture her after saying barren. On 08.07.2016 the petitioner performed second marriage with one Nutan Kumari and thereafter torturous act increased and the petitioner and others tried to kill her but due to intervention of



nearby persons she was saved and ultimately after snatching all her articles she was ousted from her in-laws house and further the petitioner and others abused at her Naihar also and caused threats to kill her.

Submission is of false implication and that there was cordial relation between the petitioner and the informant, the informant has given her consent herself to perform another marriage, vide Annexure-2, and after marriage this false case has been lodged only with a view to harass the petitioner and others, the petitioner is ready to keep her with honour and dignity but she is adamant to ruin the life of the petitioner.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is the husband and has performed another marriage with Nutan Kumari and further tried to kill her.

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 bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M- III, Nawada.

(Jitendra Mohan Sharma, J)

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