

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2815 of 2017

Arising Out of PS.Case No. -1442 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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Bhupendra Pawe, Son of Vishram Pawe @ Visham Pawe, R/o Matiyariya,
P.S.-Matiyariya, District-West Champaran

.... Petitioner

Versus

1. The State of Bihar
2. Annu Devi, D/o Suresh Kaji, R/o Village- Mahui, P.S.-Matiyariya,
District-West Champaran

.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate

For the Opposite Parties : Mr. Sri Kanhaiya Kishore (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 03-04-2017 Heard learned counsel for the petitioner, learned
counsel for the complainant and learned counsel representing the
State.

The petitioner apprehends his arrest in connection
with Complaint Case No. 1442C of 2014, registered for the
offence punishable under Section 498A of the Indian Penal Code.

The complainant Annu Devi was married with the
petitioner on 26.03.2014 and after one month the petitioner and his
family members started demanding one motorcycle and ten katha
land and due to non fulfillment started torturing and assaulting her
and ultimately the petitioner and others ousted her from her
matrimonial home after snatching all her belongings.

Submission is of false implication and that this case



has been filed after filing of complaint case by the father of the petitioner, the petitioner has also filed case for declaration that the marriage is void, the marriage performed was not with the consent of the petitioner rather it was forceful marriage, the petitioner has never demanded anything and, as such, the petitioner deserves sympathetic consideration, as he is in government service and is posted in Border Security Force.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that petitioner has tortured and assaulted brutally the complainant and ousted her from in-laws house after snatching all her ornaments and articles and further the petitioner has performed another marriage.

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 him and accordingly his such prayer stands rejected in connection with Complaint Case No. 1442C of 2014, pending in the Court of learned S.D.J.M., West Champaran, Bettiah.

(Jitendra Mohan Sharma, J.)

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