

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8178 of 2017

Arising Out of PS.Case No. -632 Year- 2015 Thana -BUXAR COMPLAINT CASE District-
BUXAR

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Anand Sah @ Anand Prasad, son of Ram Janam Sah, resident of Village-
Brahmpur Chaurasta, P.S.-Brahmpur District-Buxar.

.... Petitioner

Versus

1. The State of Bihar
2. Gudiya Devi, daughter of Virendar Sah, resident of Village-Chandpura
P.S.-Brahmpur, District-Buxar.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Mohit Shrivastava, Advocate
For the Complainant : Mr. Ashok Kumar, Advocate
For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 12-05-2017

Heard learned counsel for the petitioner.

The petitioner is apprehending his arrest in connection
with Complaint Case No. 632 (c) of 2015 lodged for the offences
punishable under Section 498A of the Indian Penal Code and 4 of
Dowry Prohibition Act.

Petitioner is husband and allegation is of cruelty and
torture.

It has been submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case, and, as a matter
of fact, the complainant is not ready to live with the petitioner.
Further submission is that complainant has married some person



and in support of that Annexure-2 has been filed, which is a sale-deed executed by one Ram Naresh Prasad and the complainant, as such, no case under Section 498A IPC is made out.

Heard learned APP and learned counsel for the complainant. Learned counsel for the complainant has opposed the prayer for anticipatory bail stating that the ground taken by the petitioner that complainant has married to Ram Naresh Prasad is false as the document is created by the petitioner. It has further been submitted that complainant is still ready to live with the petitioner but the petitioner is not.

Having heard both sides and considering the facts and circumstances, as stated above, I am not inclined to grant anticipatory bail to the petitioner, rather petitioner should surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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