

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10304 of 2017

Arising Out of PS.Case No. -199 Year- 2016 Thana -JALE District- DARBHANGA

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1. Dilip Sah @ Dilip Kr. Sah, son of Dukhran Sah, Resident of Village Nagwara, P.S. Katra, District- Muzaffarpur. Petitioner/s

Versus

1. The State of Bihar.

2. Renu Devi, D/o Suriesh Sah village, Malikpur, P.S. Jalle, District Darbhanga. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmendra Jha, Advocate

For the Opposite Party/s : Mr. Gopesh Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-03-2017 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Jalley P.S. Case No. 199 of 2016, registered for the offence punishable under Section 498(A)/34 of the Indian Penal Code and Section 3/4 of Dowry Prohibition Act.

Allegedly, the informant was married to the petitioner on 21.02.2013 and after marriage the petitioner started demanding some money and due to non-fulfillment she was being assaulted and her all the ornaments were taken away by the petitioner and was given in lieu of loan and thereafter she was brought at Ludhiana where also she was assaulted however, she gave birth of a female child but due to lack of medicine she died and then she was brought again at in-laws house where during the marriage of the brother of the petitioner one motorcycle was given



and then the petitioner started demanding motorcycle and due to no fulfillment, the petitioner and others assaulted her and ousted from in-laws house, resulting, the informant is living with her father.

Submission is of false implication and that no offence has been committed by the petitioner, he has been never demanding anything, there was cordial relation between the petitioner and his wife but the wife of the petitioner always wants to live in city or town and when the petitioner refused, she went away from the in-laws house and lodged this false case and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner is the husband and there is allegation for demanding dowry, torturing and assaulting 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 him and accordingly his such prayer stands rejected in connection with Jalley P.S. Case No. 199 of 2016, pending in the Court of learned Judicial Magistrate, Darbhanga.

(Jitendra Mohan Sharma, J.)

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