

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11223 of 2017

Arising Out of PS.Case No. -239 Year- 2016 Thana -MAHILA P.S. District- BHOJPUR

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Niraj Kumar, Son of Suresh Singh, R/o Village- Aslan, P.S.- Garhani,
District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ravindra Kumar, Advocate.

For the Opposite Party : Mr. Rajesh Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 28-03-2017 Heard both sides.

The petitioner apprehends his arrest in Bhojpur Mahila P.S. Case No. 239 of 2016, registered for the offences punishable under Sections 498A, 379 and 34 of the Indian Penal Code and under Sections 3/4 of the Dowry Prohibition Act.

Learned counsel for the petitioner submits that the petitioner is the husband of the informant but petitioner never tortured his wife, nor ever demanded any dowry. The marriage was solemnized on 30.05.2013, but the informant gave birth to a twin child while she was in her parents' house within six months of her marriage. The informant had illicit relationship with someone else. From perusal of the FIR, it appears that the informant has very specifically stated that she gave birth to two children, but one of them died. The petitioner subjected the



informant to physical and mental torture due to non-fulfillment of demand of dowry and the petitioner does not want to keep her.

Considering the facts aforesaid and the fact that the petitioner is husband and there is allegation against the petitioner that he subjected the informant to different sorts of torture and he does not want to keep her, I am not inclined to enlarge the petitioner above named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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