

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34904 of 2016

Arising Out of PS.Case No. -723 Year- 2015 Thana -COMPLAINT CASE District- SUPAUL

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1. Santosh Jha @ Santosh Kumar Jha Son of Lalan Jha R/o Village- Sitapur,
P.S.- Birpur, District- Supaul.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bina Devi Wife of Santosh Jha @ Santosh Kumar Jha R/o Village-
Sitapur, P.S.- Birpur, District- Supaul. at present R/o Village- Maladh, P.S.-
Kishanpur, District- Supaul.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav, Advocate
For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

7 17-03-2017 The petitioner is apprehending his arrest in connection with Complaint Case No. 723 (c) of 2015, registered for offences punishable under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act.

It has been submitted on behalf of the petitioner that opposite party No. 2 is not ready to live with the petitioner and only on the occasion of Shradh of the mother-in-law, she came there and again returned to her parent's house. It has further been submitted that, in fact, matter has not been consummated and he has filed divorce petition before the learned court below.

Heard learned A.P.P. also.

Having heard both sides and on perusal of the



impugned order itself it appears that petitioner is not at all ready to keep the opposite party no.2 as his wife rather she expressed her willingness to go to the house of the petitioner by appearing before the court below. Further, the conduct of the petitioner also appears that he has filed divorce petition against the opposite party No. 2 apart from that there is allegation against demand of dowry against the petitioner also.

Considering the facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. The petitioner is directed to surrender before the court below within six weeks from today and seek regular bail, if so advised. If he does so, his application for grant of regular bail shall be considered on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Vinod Kumar Sinha, J)

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