

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.880 of 2017

Arising Out of PS.Case No. -127 Year- 2016 Thana -UJIYARPUR District- SAMASTIPUR

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Madhav Kumar, Son of Satish Kunwar, resident of Village- Sriram Pipra,
P.S.- Bahadurpur, District- Darbhanga.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Dr. Rabindra Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 04-02-2017 Heard learned counsel for the petitioner, learned

counsel for the informant and also learned counsel representing

the State.

The petitioner apprehends his arrest in connection
with Ujiyarpur P.S. Case No. 127 of 2016, registered for the
offences punishable under Sections 341, 323, 379, 498(A) and
34 of the Indian Penal Code and Section 3/4 Dowry Prohibition
Act.

Allegedly, the informant was married to the
petitioner in the year 2013 and thereafter amount of Rs. 5 lacs was
demanded by the petitioner and ultimately the father of the
informant gave Rs. 3 lacs and the petitioner opened poultry farm



where the petitioner developed illicit relationship with another woman and the petitioner and another in-laws started torturing and assaulting the informant, resulting, his pregnancy was aborted thereafter the father of the informant and others tried to convince the petitioner but he did not mend his ways and after keeping all the ornaments and articles allowed the informant to go to her *naihar* after causing threats.

Submission is of false implication and that the petitioner has filed Matrimonial Case No. 74 of 2016 and thereafter after getting knowledge of that case the informant filed this case with wrong allegations, all the allegations are baseless and false, there is general and omnibus allegations against the petitioner. As a matter of fact, on the alleged date of occurrence the informant was not in her *sasural* and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of pre-arrest bail by submitting that the petitioner is the husband and before learned Sessions Judge, he has refused to keep the informant as his wife.

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 to him and accordingly his such prayer stands rejected in connection with Ujiyarpur P.S. Case No. 127 of 2016, pending in the Court of learned Sub-Divisional Judicial Magistrate, Dalsingsarai.

(Jitendra Mohan Sharma, J.)

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