

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10207 of 2017

Arising Out of PS.Case No. -977 Year- 2015 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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Sarvesh Mistry @ Sarvesh Kumar, Son of Binod Mistry, Resident of
Village – Rasula, P.S Kako (Bhalawar O.P.), District Jehanabad

.... Petitioner/s

Versus

1. The State of Bihar
2. Lao Devi

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Surendra Kumar Mishra

For the Opposite Party/s : Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 30-08-2017 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 498A and 494 of the Indian Penal Code.

The petitioner is husband of the complainant. Allegation is of demand of dowry and torture for the same. Further allegation is that husband has married with another lady.

The matter has been referred for reconciliation but the reconciliation failed.

Learned counsel for the petitioner submits that the allegation is palpably false. The petitioner is always ready for restoration of conjugal life.



Learned counsel for the complainant submits that even in the court premise, the petitioner and others started assault against the complainant as she was protesting against the second marriage.

Considering the nature of allegation, I am not inclined to grant anticipatory bail to the petitioner in connection with Complaint Case No. 977 of 2015 pending in the court of learned Sub-Divisional Judicial Magistrate, Jehanabad/successor court.

Hence, prayer for bail is refused.

If the parties settled their dispute, the court below shall consider the prayer for regular bail of the petitioner without being prejudiced by this order in the light of settlement.

(Birendra Kumar, J)

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