

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48120 of 2016

Arising Out of PS.Case No. -1145 Year- 2014 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Shashi Bhushan Prasad @ Bhajan Sah, Son of Late Amerika Prasad,
Resident of Village- Sanuwariya, P.S.- Kangali, District- West Champaran
.... Petitioner

Versus

1. The State of Bihar.
2. Sunita Devi, Daughter of Late Shivmangal Ram, Resident of Village-
Siswaniya, P.S.- Ramgadhawa, District- East Champaran
.... Opposite Parties

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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Adv.
For the State : Mr. Damodar Prasad Tiwary, APP 93
For O.P. No. 2 : Mr. Sanjay Kumar 7, Adv.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 02-02-2017 Heard the learned counsel for the petitioner and the
State.

This is a petition for grant of anticipatory bail for
offence under Sections 498A of the Indian Penal Code and 3 and 4
of the Dowry Prohibition Act.

The petitioner is alleged to be husband of
complainant, Sunita Devi. The occurrence of demand of dowry
and torture for the same allegedly took place in between
12.04.2012 to 18.06.2014.

Submission of the petitioner is that in fact the
complainant is not wife of this petitioner, which would be evident
from the registered sale deed, dated 22.09.2014, executed by Ajay
Singh and others in favour of complainant, Sunita Devi, daughter
of Shiv Mangal Ram and wife of late Raj Kapoor. His contention
is that if the complainant was wife of this petitioner she should
have disclosed the same in the aforesaid sale deed which was of
the period subsequent to the alleged date of occurrence.



The learned counsel for the complainant-opposite party no. 2 opposed the prayer for bail.

Considering the aforesaid fact, the petitioner, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with **Complaint Case No. 1145C of 2014** to the satisfaction of the **Subdivisional Judicial Magistrate, West Champaran at Bettiah**, or successor Court, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Birendra Kumar, J)

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