

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54654 of 2016

Arising Out of PS.Case No. -893 Year- 2014 Thana -KHAGARIA COMPALINT CASE District-
KHAGARIA

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Mangal Sah Son of Kishori Sah Resident of Village - Tribhuwan Tola,
Vishanpur Panchayat Bhadash Dakshin, P.S. Muffasil, District - Khagaria.

.... Petitioner

Versus

1. The State of Bihar.
2. Jatan Sah Son of Budi Sah Resident of Village - Bari Sakh, P.S. Muffasil, District- Begusarai.
3. Lalita Devi, wife of Mangal Sah, Daughter of Jatan Sah, Resident of Village- Bari Sakh, P.S. Muffasil, District- Begusarai, at present Residing at C/O Pankaj Sah, Village- Jogia, Haripur, P.S. Alauli, District- Khagaria.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar

For the Opposite Party/s : Mr. Sri Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 07-04-2017 Heard the learned counsel for the petitioner as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 893 C of 2014 for the offences punishable under section 498 A of the I.P.C and section 3 of the Dowry Prohibition Act.

Lalita Devi, the daughter of the complainant was married to the petitioner on 22.06.2013 and due to non fulfillment of demand of Rs. 50,000/- and one motorcycle she was being tortured and assaulted by the petitioner and others and ultimately after assaulting her and after snatching her articles sent her with



the complainant.

Submission is of false implication and that the petitioner never demanded anything, the petitioner never treated his wife with cruelty and only with a view to get partitioned in a joint family concocted case has been filed, there is no specific allegation against the petitioner, the petitioner is still ready to keep his wife with honour and dignity but she is not ready to live with the petitioner, she has remarried with another boy, namely, Pankaj Sah, resident of Village- Jogia, Haripur and as such the petitioner deserves sympathetic consideration.

Inspite of filing of Vakalatnama by the opposite party nos. 2 and 3 they have not appeared today.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is the husband and inspite of best efforts made the petitioner refused to keep her.

In the facts and circumstances as stated above, considering the allegation against the petitioner, I am not inclined to grant privilege of pre-arrest bail to the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of S.D.J.M. Khagaria.

Abhay/-

(Jitendra Mohan Sharma, J)

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