

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48593 of 2016

Arising Out of PS.Case No. -1121 Year- 2013 Thana -JEHANABAD COMPLAINT CASE District-
JEHANABAD

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1. Niraj Kumar, Son of Sanjay Singh, Resident of Village- Ramdev Chak,
P.S.+District- Jehanabad.

.... Petitioner/s

Versus

1. The State of Bihar
2. Swati Devi, Wife of Niraj Kumar, Resident of Village- Ramdev Chak,
P.S.+District- Jehanabad.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Lakshmi Kant Sharma
For the Opposite Party/s : Mr. Sri Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

8 01-08-2017 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Complaint Case No. 1121 of 2013/ Tr. No. 1048 of 2018,
disclosing offences under Sections 498A of the Indian Penal
Code.

Learned Counsel for the petitioner has submitted
that there is general and omnibus allegation against this
petitioner and no specific overt act is attributed to him. In fact,
the petitioner has never assaulted the O.P. No.2 nor any demand
of dowry was made by the petitioner. The petitioner is still ready
to keep his wife with full honour and dignity but the



complainant herself does not want to continue with the conjugal relation with the petitioner. Hence, the petitioner deserves the privilege of anticipatory bail.

Learned counsel for the opposite party No.2. has opposed the prayer for bail of this petitioner and submitted that the petitioner happens to be the husband of the complainant has performed another marriage and there is direct allegation of torturing and harassing the complainant. The witnesses have also supported the prosecution version.

Considering the facts and circumstances of the case, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J)

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