

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51028 of 2016

Arising Out of PS.Case No. -315 Year- 2013 Thana -PHULPARAS District- MADHUBANI

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Binod Kumar Singh, Son of Late Mohan Singh, resident of Katihar, Gate No.4, Naya Jute Mill, Daheria, P.S. and District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

7 17-07-2017

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Phulparas Police Station Case No. 315 of 2013, disclosing offences under Sections 498A, 494 of the Indian Penal Code and Section 3/4 of the D.P. Act.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be the husband of the informant has never assaulted nor demanded dowry in any form. Earlier, the matter was referred to Mediation Centre, but in spite of all possible efforts on the part of the petitioner, mediation could not be succeeded. Hence, the



petitioner deserves the privilege of anticipatory bail.

Learned counsel for the opposite party has vehemently opposed the prayer for bail of this petitioner and submitted that the petitioner has performed another marriage and there is direct allegation of demand of dowry against the petitioner and non fulfillment of the same the informant was subjected to torture and cruelty.

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

(Arvind Srivastava, J)

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