

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2160 of 2017

Arising Out of PS.Case No. -474 Year- 2016 Thana -VAISALI COMPLAINT CASE District-
VAISHALI(HAJIPUR)

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Brij Mohan Singh @ Brij Lal Singh Son of Shiv Prasad Singh Resident of
Village - Minapur, P.S. Hajipur Town, District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Resham Devi W/o Brij Mohan Singh @ Brij Lal Singh, D/o Darshan Singh Resident of Village - Bhatthauli Bhagwan, P.S. Kartaha, District - Vaishali.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kunwar Ajit Singh

For the Opposite Party/s : Mr. Smt. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 21-03-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the Informant.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Complaint Case No. 474 of 2016 for the offence punishable under section 498 (A) of the I.P.C.

The complainant was married to the petitioner eight years ago and out of the wedlock there are two sons and thereafter the petitioner started demanding Rs. 2,00,000/- and due to non fulfillment started torturing and assaulting the complainant. The



petitioner assaulted the complainant with knife with an intention to kill her which hit on her left hand. In spite of Panchayati the accused persons did not change their ways and some time the petitioner after taking drink used to assault the complainant.

Submission is of false implication and that this complaint case has been filed on 01.03.2016, whereas, the petitioner has filed Complaint Case No. 465 of 2016 as the complainant has developed illicit relationship with one Nawin Kumar, the matter was enquired by the police and in the police report also the allegation has been found true and as such the petitioner deserves sympathetic consideration as this complaint case is based upon totally false and baseless allegations, the petitioner never demanded anything from the complainant nor ever tortured her.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner has filed complaint case as well as divorce case making false allegation that the complainant has developed illicit relationship which is imaginary. The complainant has got no connection with Nawin Kumar and the complainant is ready to live with the petitioner.

In the facts and circumstances as stated above,



considering the allegation attributed against the petitioner, I am not inclined to grant privilege of pre-arrest bail to him and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of Sri B.K. Tirpathy, J.M. 1st Class, Vaishali at Hajipur.

(Jitendra Mohan Sharma, J)

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