

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2873 of 2017

Arising Out of PS.Case No. -467 Year- 2016 Thana -MUZFFARPUR COMPLAINT CASE District-
MUZAFFARPUR

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1. Satya Prakash, Son of Madan Prasad Singh, resident of Village-Krishnawada, P.S. Patepur, District Vaishali, presently working E-12, Jhandewalan, Near Videcon Tower, Enaidu, T.V. New Delhi, P.S. Pahadganj.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priti, Wife of Satya Prakash, D/o Madan Choudhary, resident of Village Krishnawada, P.S. Patepur, District Vaishali, presently residing at Mohalla Om Nagar, Damodarpur, R. No.- 2, P.S. Kanti, District-Muzaffarpur.

.... Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Rajan, Advocate

For the Opposite Parties : Mr. Madan Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 17-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 467 of 2016, registered for the offence punishable under Section 498(A) of the Indian Penal Code.

Allegedly, the petitioner being the husband of the complainant started torturing her due to non-fulfillment of demand of Tata Safari vehicle. The mother-in-law told the complainant to press body of cousin father-in-law, to which she refused and then she was tortured by the petitioner and mother-in-law. Signature



was taken on blank paper forcibly. Due to assault the pregnancy was aborted and thereafter the complainant was sent to her Naihar and it was told that without fulfilling the demand of Tata Safari vehicle she will not be allowed to live in the in-laws house.

Submission is of false implication and that the petitioner has filed divorce case, this case has been filed with wrong allegation and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that being the husband, he had tortured and assaulted the complainant brutally, resulting, she was aborted and further she was sent to her Naihar empty handed.

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 Complaint Case No. 467 of 2016, pending in the Court of learned S.D.J.M., Muzaffarpur.

(Jitendra Mohan Sharma, J.)

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