

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49325 of 2016

Arising Out of PS.Case No. -9 Year- 2016 Thana -MAHILA PS District- GAYA

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Sanjay Yadav, son of Rameshwar Yadav, R/o Village- Dharampur, P.S.-
Dobhi, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar
2. Urmila Kumari @ Urmila Devi, W/o Sanjay Yadav, Resident of
Village- Dharampur, P.S.- Dobhi, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Kumar Sinha

For the Opposite Party/s : Mr. Sri Ramchandra Sahani

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

4 18-03-2017 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 Mahila P.S. Case No. 09 of 2016 for the offences punishable under sections 498 A, 323, 504, 380 and 34 of the I.P.C and section 34 of the Dowry Prohibition Act.

Allegedly, on 16.01.2016 at about 9.45 A.M. the petitioner and other co-accused came near the informant and directed to withdraw Dobhi P.S. Case No. 280 of 2015 and further demanded Rs. 20,000/- as cost which has occurred in that case and on refusal they assaulted the informant and her daughter. The intention was to abort the informant due to assault. Bleeding started from the mouth and nose. On the teeth also assault was



committed and further kerosene oil was sprinkled and ornaments were snatched. Any how the informant saved her and her daughter and filed this case. They are not providing foods and are demanding dowry.

Submission is of false implication and that the prosecution story as propounded is concocted and baseless, the occurrence is of 16.01.2016 but typed written statement has been submitted on 02.02.2016 after much delay, there is no explanation for such delay and as such the petitioner, being husband, deserves sympathetic consideration.

The learned A.P.P. opposes prayer for pre-arrest bail of 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 the petitioner and accordingly his such prayer stands rejected in connection with the aforementioned case pending in the court of A.C.J.M. Gaya.

However, in case and if so advised, the petitioner surrenders and seeks regular bail then his prayer for regular bail shall be considered on its own merits without being prejudiced by this order.

(Jitendra Mohan Sharma, J)

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