

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6982 of 2017

Arising Out of PS.Case No. -56 Year- 2016 Thana -MAHILA P.S. District- SASARAM (ROHTAS)

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Anil Kumar @ Anil Ram, Son of Late Ram Bachan Ram, Resident of Mohalla- Dakbunglow, Ward No.10, Nokha, P.S.- Nokha, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Poonam Kumari, D/o Sri Suraj Ram, Resident of Mohalla- Babuganj, Behind Old Tanki, PO+PS- Dehari, District- Rohtas, Pincode- 821377.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Sahay

For the Opposite Party/s : Dr. Kumar Uday Pratap

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

9 04-07-2017 Heard the learned counsel for the petitioner, the learned A.P.P. for the State as also the learned counsel for the opposite party no.2.

In this application for anticipatory bail the petitioner apprehends his arrest in connection with Dehri Mahila P.S. Case No. 56 of 2016 for the offences punishable under sections 498 (A), 323, 341 and 504/34 of the I.P.C and section 3 of the Dowry Prohibition Act.

The informant was married to the petitioner on 11.12.2013 and thereafter for some days both were living happily but later on the petitioner started demanding cash of Rs. 50,000/- to start business which was refused and due to that the petitioner



and others started abusing and assaulting her and some time used to oust her from the in-laws house. Out of the wedlock a son was born but due to non fulfillment of demand of Rs. 50,000/- the petitioner and other family members did not allow the informant and her child to stay in the in-laws house and ousted her from the in-laws house. The petitioner demanded the amount of Rs. 50,000/- in her Naihar also otherwise caused threats to marry again.

Submission is of false implication and that the petitioner is always ready to keep the opposite party no.2 as his wife with honour and dignity but the opposite party no.2 is not ready to live with him due to the reasons best known to her, the petitioner cannot go to his in-laws house to bring back the opposite party no.2 because the petitioner has got apprehension to danger of his life from the brother of opposite party no.2, the petitioner has never demanded anything at any point of time, all the allegations are false and concocted and as such the petitioner deserves sympathetic consideration. The petitioner has filed a case for restitution of conjugal right bearing Matrimonial Case No. 239 of 2014 and thereafter this case has been filed with wrong allegation.

The learned A.P.P. duly assisted by the learned



counsel for the opposite party no.2 opposes prayer for pre-arrest bail of the petitioner by submitting that the petitioner is the husband and against him there is specific allegation for demanding Rs. 50,000/-.

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 above mentioned case pending in the court of S.D.J.M. Rohtas at Sasaram.

(Jitendra Mohan Sharma, J)

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