

Arising Out of PS.Case No. -3190 Year- 2011 Thana -KATIHAR COMPLAINT CASE District-KATIHAR

Versus

- Opposite Parties

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 04-04-2017 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 498A/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner is the husband of the complainant.

There is allegation of demand of dowry and torture for the same.

Petitioner is in custody since 20.07.2016.

Submission is that the petitioner is a patient of heart ailment and he be released on bail.

On the other hand, learned counsel for the complainant submits that the petitioner is not paying the



maintenance amount as per the order of a coordinate Bench of this Court in Cr. Misc. No. 51103 of 2013 on 15.10.2014. Moreover, the petitioner has married twice thereafter.

Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with C.A. Case No. 3190 of 2011 pending in the Court of learned Sub-Divisional Judicial Magistrate, Katihar/successor Court.

Hence, prayer for bail is refused.

However, the learned trial court is directed to expedite the trial as the case is running for prosecution evidence and conclude the same preferably within six months from the date of receipt of a copy of this order.

(Birendra Kumar, J)

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