

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1981 of 2017

Arising Out of PS.Case No. -70 Year- 2016 Thana -PARSAUNI District- SITAMARHI

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Raj Kumar Sah, son of Vinay Sah, Resident of Village- Gisara, Tole-
Mushahari, P.S.- Parsauni, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Rita Devi, wife of Raj Kumar Sah and daughter of Dasai Sah, Resident
of Village- Saraiya, P.S.- Belsand, District- Sitamarhi.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh

For the Opposite Party/s : Mr. Sri Pranav Kumar

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

ORAL ORDER

3 03-04-2017 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 Parsauni P.S. Case No.
70 of 2016 for the offences punishable under sections 341, 323,
498 (A) and 504/34 of the I.P.C and section 3 of the Dowry
Prohibition Act.

Rita Devi, the informant, was married to the petitioner
four years ago and after some time of the marriage the petitioner
and other in-laws demanded Hero Honda Motorcycle and due to
non fulfillment she was being tortured and assaulted and
ultimately she was ousted from the in-laws house after snatching



all her articles though the informant was pregnant of three months, resulting she is living with her parent.

Submission is of false implication and that the petitioner is ready to keep the informant as his wife but the informant is not ready to live with him, the informant implicated him in a false case only with a view to harass and humiliate the petitioner and his family members, no dowry was ever demanded and the informant was not pregnant which is evident from the fact that up till now she has not given birth of any child and as such the petitioner deserves sympathetic consideration.

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 assaulted three months old pregnant wife and ousted her from the in-laws house.

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 Bipin Lawania, J.M. 1st Class, Sitamarhi.

(Jitendra Mohan Sharma, J)

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