

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14298 of 2017

Arising Out of PS.Case No. -106 Year- 2011 Thana -ARIYARI District- SEKHPURA

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Rajesh Chauhan Son of Ram Briksh Chaohan, resident of village -
Lakshmipur, Brindaban (Kasarh), Police Station - Ariari, District -
Sheikhpura

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Bipin Kumar, Advocate

For the Opposite Party : Mr. Narsingh Tanti (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 05-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Ariari (Kasarh) P.S. Case No. 106 of 2011, registered for the
offence punishable under Section 498(A) of the Indian Penal Code
and Section 3/4 of Dowry Prohibition Act.

Mamta Kumari the daughter of the informant was
married to the petitioner in the year 2008 and after second
marriage (*Gauna*) the petitioner and other in-laws started
demanding Hero Honda motorcycle and due to non-fulfillment
they used to abuse and assault her and ultimately she was taken
away to Surat by the petitioner and from there she has been made
traceless and for searching her, delay was caused.



Submission is of false implication and that petitioner bears no criminal history, he is ready to keep Mamata Kumari, the daughter of the informant and to fulfill her necessity as per requirement but she is not turning up, the petitioner has never demanded anything and all the allegations are false and concocted and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. seriously opposes the prayer of pre-arrest bail by submitting that against the petitioner there is allegation for demanding dowry and due to non-fulfillment for torturing her.

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 to him and accordingly his such prayer stands rejected in connection with Ariari P.S. Case No. 106 of 2011, pending in the Court of learned Sub-Divisional Judicial Magistrate, Sheikhpura.

(Jitendra Mohan Sharma, J.)

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