

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47411 of 2016

Arising Out of PS.Case No. -24 Year- 2016 Thana -MAHILA PS District- GOPALGANJ

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SANTOSH KUMAR @ SANTOSH KUMAR GUPTA @ SANTOSH KUMAR S/O Sheshnath Prasad Gupta @ Sheshnath Prasad, Resident of Mohalla- Dakin Hathu More, P.S. Mirganj, District Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Pritika Kumari, D/O. Baliram Prasad, R/O. Nonia Toli, Ward no. 20. P.S. Gopalganj Town, District- Gopalganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kant

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 16-03-2017 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 Gopalganj Mahila P.S. Case No. 24 of 2016 for the offences punishable under sections 498 (A) and 313/34 of the I.P.C and section 3 of the Dowry Prohibition Act.

Allegedly, the informant was married to the petitioner on 17.02.2016 but after the marriage the petitioner and other in-laws started demanding the house of Maike and due to non fulfillment they got aborted the informant having pregnancy of one and half months and further they assaulted her. They brought her at Ghaziabad forcibly where she was also assaulted and any



how with the aid of police she was freed from the clutches of the petitioner.

Submission is of false implication and that there is no allegation of abortion in the complaint lodged before the Ghaziabad police, the informant has lodged several cases and further she is not ready to live with the petitioner, for one time settlement she is demanding heavy amount.

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 informant has been brutally assaulted by the petitioner and his family members. The petitioner is not ready for amicable settlement and as such he does not deserve pre-arrest bail.

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 C.J.M. Gopalganj.

(Jitendra Mohan Sharma, J)

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