

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.12442 of 2017**

Arising Out of PS.Case No. -405 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

=====

1. Vikash Kumar Keshari, Son of Raju Prasad Keshari, Resident of Mohalla  
- Anand Nagar, P.S. Arrah Town, District - Bhojpur

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner : Mr. Md. Ataul Haque, Advocate

For the Opposite Party : Mr. Sri Shantanu Kumar (APP)

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

6      04-05-2017                      Heard learned counsel for the petitioner, the learned  
  
counsel for the informant and learned counsel representing the  
  
State.

The petitioner apprehends his arrest in connection  
with Arrah Town P.S. Case No. 405 of 2016, registered for the  
offences punishable under Sections 498A, 323/34 of the Indian  
Penal Code.

Allegedly, the complainant was married to the petitioner  
in the year 2014 when the complainant went to her in-laws house,  
the petitioner and other in-laws started torturing her and demanded  
motorcycle, Godrej and gold chain by way of dowry otherwise not  
to allow her to live in the in-laws house. Due to non-fulfillment of  
demand the complainant was tortured and assaulted, even food  
were stopped. Father of the complainant came after getting  
information and pacified the matter, but on 15.05.2016 all



the accused persons including the petitioner assaulted the complainant and ousted her from the in-laws house.

Submission is of false implication and that the petitioner never demanded anything from his wife or any one, all the allegations are concocted and baseless. The petitioner is still ready to keep the complainant as his wife, the petitioner has filed a case for restitution of conjugal rights but the complainant is not ready to live with him, due to the reason best known to her and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. duly assisted by the learned counsel for the complainant opposes the prayer of pre-arrest bail by submitting that petitioner has tortured the complainant in such a way that she is not forgetting all those things resulting, she is refusing to go with the petitioner.

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 Ara Town P.S. Case No. 405 of 2016, pending in the Court of learned Chief Judicial Magistrate, Ara.

**(Jitendra Mohan Sharma, J.)**

Rajiv/-

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