

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32996 of 2017

Arising Out of PS.Case No. -86 Year- 2015 Thana -DARBHANGA COMPLAINT CASE District-
DARBHANGA

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1. Mithilesh Sahni Son of Ram Vilash Sahni R/o Village Wartganj,
Navtolia, P.S. - Bahere, District - Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Phul Kumari D/o Kusheshwar Sahni Resident of Village - Zaughatte,
P.S.- Bahera, District - Darbhanga.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Shahnawaz Ali, Adv.
For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

6 11-04-2018 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of C.R. Case No. 86 of 2015, disclosing offences under
Sections 498(A), 341, 323, 406 of the Indian Penal Code and 3/4
of the D.P. Act.

Pursuant to the order dated 23.08.2017, a
supplementary affidavit has been filed on behalf of the petitioner,
which is kept on record.

Learned counsel for the petitioner has submitted that
the petitioner happens to be husband of the complainant is
innocent and has not committed any offence. As a matter of fact,



the complainant of this case has died and a death certificate to that effect has already been annexed as annesure-2 to the supplementary affidavit filed by the petitioner. Neither the petitioner has assaulted the complainant nor demanded any dowry in any manner. Hence, the petitioner prays for grant of privilege of anticipatory bail.

Learned A.P.P. has opposed the prayer for bail of the petitioner and submitted that the petitioner happens to be husband of the deceased-complainant and there is allegation of assault and torture for non fulfillment of the demand of dowry against the petitioner.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of this petitioner is rejected.

(Arvind Srivastava, J.)

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