

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52034 of 2017

Arising Out of PS.Case No. -1061 Year- 2013 Thana -GAYA COMPLAINT CASE District- GAYA

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Dharmendra Kumar Yadav S/o Amika Yadav @ Ambika Yadav, R/o
Village- Siswar, P.S.- Khizarsarai, District- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Priyanka Devi W/o Dharmendra Kumar Yadav &D/o Nathun Yadav,
R/o Village- Goga, P.S.- Muffasil, District- Gaya.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 24-01-2018

The petitioner has renewed the prayer for anticipatory bail in Complaint Case No. 1061 of 2013, wherein processes have been directed to be issued after cognizance being taken for the offences punishable under Section 498A of the Indian Penal Code and Section 4 of Dowry Prohibition Act, pending in the Court of learned Sub-divisional Judicial Magistrate, Gaya.

The basic accusation is of torture and driving out the complainant from matrimonial home for non-fulfillment of the dowry demand.

Earlier the petitioner preferred Cr. Misc. No. 27387 of 2016 with prayer for anticipatory bail which was



disposed of vide order dated 09.08.2016 since the petitioner took stand before this Court that he never married the complainant and though this stand was not taken by the petitioner before the learned Court below prior to coming to this Court when this Court confronted the learned counsel for the petitioner about the above inconsistent stand, thereafter a petition was filed before the learned Court below taking specific stand that the petitioner never married the complainant and considering the inconsistent stand of the petitioner the earlier anticipatory bail application was disposed of.

The present application has been registered on 31.10.2017 with same set of facts hence, this Court is not inclined to interfere. Accordingly, this application is dismissed.

However, the present order will not preclude the learned Court below to consider the prayer for regular bail of the petitioner without being prejudiced by the order of this Court.

(Dinesh Kumar Singh, J)

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