

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5092 of 2019

Arising Out of PS. Case No.-1448 Year-2017 Thana- SAMASTIPUR COMPLAINT CASE
District- Samastipur

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Brij Ram @ Birjesh Kumar Singheshwar Ram Resident of village-Dubha,P.S-
Mohadi Nagar,Distt.-Samastipur

... .. Petitioner/s

Versus

1. State Of Bihar
2. Rita Devi, D/o Neti Ram, Resident of Khetapur, P.S-Sarai Ranjan,Distt.-
Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 20-09-2019 Petitioner seeks bail in anticipation of his arrest in
connection with Complaint Case No.1448 of 2017 in which
cognizance has been taken under Section 498A of the Indian Penal
Code.

As per complaint case, marriage of the complainant was
solemnized with the petitioner and after marriage for some time she
was residing in her matrimonial house and thereafter petitioner and
other accused persons stated abusing her and misbehaved with her
and thereafter for demand she was subjected to cruelty and she was
ousted from the house after snatching all her belongings.

Submission of learned counsel for the petitioner is that the
whole allegation is false and concocted and he has not solemnized
marriage with opposite party No.2.



Heard learned APP and learned counsel for the complainant, who has opposed the prayer for anticipatory bail of the petitioner stating that on inquiry finding a prima facie case, processes have been issued against the petitioner.

From perusal of paragraph-9 of the petition it appears that petitioner has stated as follows :- “That it is stated that petitioner is Service man and performing marriage along with complainant in connivance with father of complainant, filed this case against the petitioner.” Above statement is on oath which does not support the case of the petitioner and further in view of the facts as stated above, I am not inclined to grant the privilege of anticipatory bail to the petitioner. He may petitioner surrender and pray for regular bail, which shall be considered on its own merit.

With the above observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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