

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2935 of 2019

Arising Out of PS. Case No.-101 Year-2018 Thana- JANTA BAZAR District- Saran

Chandan Sah son of Rajendra Sah Resident of Village- Banpur Latif, P.S.-
Janta Bazar, District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sabita Devi Wife of Chandan Sah, Daughter of Shivnath Sah Resident of Village- Banpur Latif, P.S.- Janta Bazar, District - Saran presently residing at Village- Sheriya, P.S.- Sidhwaliya, District - Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. GauravKumar, Advocate
For the Opposite Party/s : Mr. Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner seeks pre-arrest bail in connection with Janta Bazar P.S. Case No. 101 of 2018 registered under Sections 341, 323, 494 and 498A read with 34 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that there is no truth behind the allegation made in the FIR. Admittedly, the petitioner was married in April, 2008 and the allegations of demand of dowry and subjecting the informant to cruelty have been made for the first time after ten years of marriage on 05.09.2018. He further submitted that the



petitioner has not solemnized marriage with any other lady and all the allegations made in the FIR are based on hypothetical presumption and wild suspicion. The petitioner is blessed with one son and one daughter out of the wedlock and it is unbelievable that after ten years of marriage, a person would subject his wife to cruelty for demand of motorcycle.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below, the petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-Vth, Saran at Chapra in connection with Janta Bazar P.S. Case No. 101 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md. S/SKSuman.

U		T	
---	--	---	--

