

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11723 of 2019

Arising Out of PS. Case No.-453 Year-2018 Thana- BIDUPUR District- Vaishali

SAMANT JEE, aged about 24 years, Male, Son of Raghuvansh Singh @ Raghubansh Pd. Singh Resident of Village - Mazalishpur, P.S.- Bidupur, Distt - Vaishali.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Nitu Devi Wife of Samant Jee, D/o Narendra Rai Resident of Village - Dhamaun (South), P.S.- Patori, Distt - Samastipur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Sunil Prasad
For the Opposite Party/s :	Mr.Bharat Bhushan,APP
For the Opp. Party No.2 :	Mr. Jagjit Roshan

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 21-05-2019 Heard learned counsels for the petitioner and the State.

Petitioner apprehends arrest in connection with Bidupur P.S. Case No. 453 of 2018 registered for the offence punishable under sections 341, 323, 337, 498A, 506/34 of the Indian Penal Code.

Learned counsel appearing for the petitioner submits that petitioner never demanded any dowry nor tortured the opposite party no. 2. As a matter of fact, petitioner was abducted by family members and relatives of the informant for the purpose of marriage. In that connection, brother of the petitioner also filed Complaint Case No. 705 of 2018 vide Annexure-2. Petitioner has also filed Matrimonial Case No. 402 of



2018 before the Family Court at Vaishali for declaring the marriage in question as void.

Learned Addl. P.P. appearing for the State as also the learned counsel appearing for the opposite party no. 2 opposes the prayer for bail and submits that petitioner is husband of the informant. There is specific allegation of demand of dowry and assault due to non-fulfillment of the demand. The complaint case enclosed at Annexure-2 has been filed after ten days of the alleged occurrence without there being any plausible explanation for the delay. Moreover, petitioner being the husband had the responsibility to keep the wife with all honour and dignity, in which he failed. It is, therefore, submitted that petitioner does not deserve to be granted the privilege of anticipatory bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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