

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37581 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- BHABHU(KAIMUR) COMPLAIN C
District- Kaimur (Bhabua)

DEEPAK RAJ SAH Son of Shri Harinarayan Sah Resident of Village -
Kudwa, P.O. Gotpa, P.s.- Agrer, Dist.- Rohtas (Sasaram)

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Parvati Devi @ Sheela Devi W/o Deepak Raj Sah, D/o Shri Niwas Sah
Presently Resident of Village - Kudra (Chakiya Mohalla), P.s.- Kudra, Dist.-
Kaimur (Bhabhua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar
For the Opposite Party/s : Mr.Indra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-06-2019 Heard the learned counsel for the petitioner, the
complainant and the learned A.P.P. for the State.

The petitioner seeks bail in Complaint Case No.
273/2018, instituted for offence under Section(s) 498A of the
Indian Penal Code read with Section 4 of D.P. Act.

The complainant is physically present in Court.

It is alleged in the written report that petitioner was
married with informant in the year 2016. After marriage one
daughter was born from the wedlock. The informant was
tortured because of giving birth to daughter and also for non-
fulfillment of demand of four wheeler. She was ultimately
ousted from her matrimonial house. Thereafter she came back to
her Maika.



Learned counsel for the complainant has submitted that earlier complainant had appeared before the court below and agreed to go with petitioner. Accordingly, petitioner was granted anticipatory bail on the submission that he will file an undertaking in the court below within one month that he will take back the complainant to her matrimonial house and give her a fair treatment, but petitioner never took any step after grant of anticipatory bail.

Learned counsel for the complainant has submitted that petitioner has forcibly kept her one year old daughter with him and ousted her from the house. Petitioner is not ready to keep the complainant with him although she is always ready to live with petitioner.

The counsel for petitioner has submitted in Court that petitioner is not ready to keep the complainant.

Considering the aforesaid facts, this Court is not inclined to grant bail to petitioner. Accordingly, prayer for bail of petitioner is rejected.

The trial court is directed to expedite the trial and conclude the same as early as possible preferably within a period of six months from the date of receipt of copy of this order.



Petitioner is given liberty to renew the prayer for bail
in the event trial is not concluded within aforesaid period.

(Sanjay Priya, J)

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