

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49749 of 2019

Arising Out of PS. Case No.-65 Year-2018 Thana- MAHILA P.S. District- Madhepura

RAHUL KUMAR, S/o- Dharendra Yadav R/o- Village- Jiwachhapur, P.S.-
Gamharia, District- Madhepura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 08-08-2019 Petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S. Case No. 65 of 2018 registered for the offences punishable under Sections 341, 323, 307, 498A, 379, 34 of the Indian Penal Code and Sections 3/4 of Dowry Prohibition Act.

Allegation against the petitioner, who happens to be husband of the informant, is that he subjected his wife to cruelty with respect to demand and ousted her. There is also allegation that petitioner and her father-in-law tried to kill her by sprinkling kerosene oil but she was saved. Impugned order further shows that earlier the informant has filed another case in which on the basis of compromise she was taken to her matrimonial house but after torture she was again ousted with respect to demand of dowry.



Submission of learned counsel for the petitioner is that whole allegation is false and concocted and she herself fled away from the house.

Heard learned APP also.

In view of allegation as well as the fact that earlier on the basis of compromise she was taken to the house and again she was ousted from the house, I am not inclined to grant the privilege of anticipatory bail to the petitioner. However, if petitioner is ready to keep his wife with him he may appear before the court below along with his wife-informant and pray for regular bail, which shall be considered by learned court below upon inquiry from the wife of the petitioner.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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