

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79386 of 2018**

Arising Out of PS. Case No.-1352 Year-2017 Thana- VAISALI COMPLAINT CASE
District- Vaishali

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Bipin Kumar Sah Son Of Umesh Sah Resident of Village- Pojhia, P. S.-
Lalganj in the District Vaishali.

... .. Petitioner/s

Versus

1. State Of Bihar
2. Shanti Kumari W/O.- Shamlal Sah, Resident of Village- Patedha, P. S.-
BelsarO.P., District- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 06-05-2019 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Complaint Case No. 1352 of 2017 registered for the offence

punishable under section 498A of the Indian Penal Code.

Learned counsel appearing for the petitioner

submits that petitioner has been falsely implicated in this

case being the husband of the complainant. Petitioner never

demanded any dowry from the complainant nor ousted her

from her matrimonial house, rather it is she who herself

went away from her sasural. None has ever assaulted the

complainant.



Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that there is specific allegation of demand of dowry and due to non-fulfillment of the same the complainant was ousted from her matrimonial home. Furthermore, petitioner being the husband of the complainant was required to keep her with full honour and dignity, in which he failed. He, therefore, submits 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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