

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61530 of 2019

Arising Out of PS. Case No.-1493 Year-2018 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

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RAJESH KUMAR Son of Ganesh Mahto Resident of Vill- Santpur, P.S.-
Mainatar, District- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nitu kumari Kushwaha W/O Rajesh Kumar Resident of Santpur parsoni,
P.S.- Mainatar District- East Champaran. At Present - Resident of Vill-
Jaisinghpur Chewtahi, PS- Turpolia, District- East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Surendra Kishore Thakur
For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 26-09-2019 Heard learned counsel for the parties.

The petitioner is apprehending his arrest in connection with Complaint Case No.1493C of 2018 registered for offences punishable under Section 498(A) of the Indian Penal Code and Sections 3/4 of the D.P.Act.

As per the complaint petition, the complainant was blessed with a daughter and after 2-3 months, the accused persons include the petitioner started demanding Rs.01 lac as dowry and on non-fulfillment of the same started subjecting her to cruelty and lastly driven her out of the house, snatching all the articles.

Submission of the learned counsel for the petitioner is



that prior to lodging of this case a divorce case had been filed by the petitioner against the complainant as she is not ready to reside with the other family members of the petitioner and it has categorically been stated that there is no chance of compromise between the parties as he is not ready to keep her.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground that there is allegation, which has been found *prima facie* true during the inquiry and apart from that the reason assigned by the petitioner for divorce case does not appear to be genuine. .

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner, however, the petitioner is directed to surrender before the learned court below and make prayer for regular bail, which will be considered by the learned court below without being prejudiced by the order of this Court.

With the aforesaid direction, this application is dismissed.

(Vinod Kumar Sinha, J)

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