

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61524 of 2019

Arising Out of PS. Case No.-461 Year-2018 Thana- MADHEPURA COMPALINT CASE
District- Madhepura

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MOHRIL RAM Son of kameshwari Ram Resident of Village - and P.S.- Sri
Nagar, Dist.- Madhepura.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ashu Kumar W/o Mohril Ram , D/o Parmeshwari Ram Resident of Village -
Rampatti Kusaha, P.S.- Kumarkhand, At Present village - and P.S.- Sri
Nagar, Dist.- Madhepura.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh
For the Opposite Party/s : Mr.Ramchandra 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.461 of 2018 dated 11.7.2018 registered
for offences punishable under Sections 498A/494 of the Indian
Penal Code and Section 4 of the Dowry Prohibition Act.

Petitioner happens to be husband of the complainant.
Allegation of demand of motorcycle and cash and for that
assaulting her.

Submission of the learned counsel for the petitioner is
that Annexure -2 is *panchnama* which discloses that the
complainant has love affair with one Rakesh Kumar and she has
married with him and in the *panchayat* she has stated that she
does not want to reside with the petitioner and he is still ready to
keep her.

Heard learned A.P.P. and perused the impound order from



which it appears that the complainant was present in the court but the petitioner being husband of the complainant did not appear before the court for reconciliation with his wife (complainant) and there is allegation against the petitioner of demand of dowry and torture. .

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, if the petitioner surrenders before the learned court below and make prayer for regular bail, which will be considered by the learned court below and he will consider the above submission as well as the materials available on the record or the materials made available to the court at the time of hearing of the bail application and he will pass appropriate order without being prejudiced by the order of this Court and he will try to dispose of his prayer for bail on the same day..

With the aforesaid direction, this application is disposed of.

(Vinod Kumar Sinha, J)

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