

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81812 of 2019

Arising Out of PS. Case No.-1050 Year-2017 Thana- NAWADAH COMPLAINT CASE
District- Nawada

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SHARWAN YADAV Son of Late Chhote @ Chhote Yadav Resident of
Village - Regniya Bigha, P.S.- Giriyak, Distt.- Nalanda at Biharsharif.
... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rubi Kumari D/o Shiv Yadav Resident of Village - Lohani Bigha, P.S.-
Nawada, Distt.- Nawada.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anish Kumar
For the Opposite Party/s : Mr.Navin Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 As prayed by learned counsel for the petitioner, he is

permitted to correct the provision of law on the first page of the

petition in course of the day.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner has prayed for bail in connection with

Complaint Case No. 1050 of 2017 registered for the offence

punishable under sections 498A, 323, 504 and 379 of the Indian

Penal Code and section 3 and 4 of the Dowry Prohibition Act.

As per allegation in the complaint, it is stated that

accused persons including the petitioner, who happens to be the

husband of the complainant, tortured and assaulted her and also

made demand of Rs. 2,00,000/- by way of dowry. It is further

stated that petitioner has illicit relation with his Bhabhi



(brother's wife).

It is submitted by learned counsel for the petitioner that allegations in the complaint are false and concocted and have been made only to give it a serious look. The petitioner is a poor person, who earns his living by driving vehicle and supports his widow mother and other family members of his family. It is stated that petitioner is in custody since 18.09.2019 and has no criminal antecedent.

Having heard learned counsel for the parties and taking into consideration the fact that attempts of settlement/ counselling had taken place between the petitioner and complainant on earlier occasion but the same has failed. As per the order of the learned Additional Sessions Judge 8th, Nawada, bail petition of the petitioner was rejected on 14.10.2019 and it was observed therein that it was the petitioner, who is not ready to keep his wife. As such, this Court is not inclined to grant bail to the petitioner and his application for bail is rejected.

However, liberty is granted to the petitioner to renew his prayer for bail on completing six months in custody.

(Partha Sarthy, J)

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