

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.61602 of 2019

Arising Out of PS. Case No.-95 Year-2019 Thana- EAST CHAMPARAN COMPLAINT
District- East Champaran

JITENDRA KUMAR PAL Son of Gauri Shankar Pal Resident of Village-
Harnatha, P.S.- Pakarideyal, District- East Champaran.

... .. Petitioner

Versus

1. The State of Bihar
2. Poonam Devi Daughter of Virendra Raut Resident of Village- Pakadiya,
P.S.- Harsidhi, District- East Champaran.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioner, learned
counsel for the O.P. No.2 and learned APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Trial No.771 of 2019, arising out of Complaint Case No.
C-95 of 2019 registered for the offence punishable under
sections 498A and 34 besides other sections of the Indian Penal
Code.

As per allegation in the Complaint, the petitioner was
married to the O.P. No.2 on 31.05.2017. It is stated that dowry
was given at the time of marriage but soon thereafter the
demand of motorcycle started. There is further narration of
assault, torture and demand of Rs. 1 lac in addition to the
demand of motorcycle. It is stated that on one occasion,



kerosene oil was poured on the Complainant and the petitioner attempted to burn her. After inquiry, cognizance was taken for the offence under sections 498A and 34 of the Indian Penal Code.

It is submitted by learned counsel for the petitioner that the petitioner is the unfortunate husband of the O.P. no.2. There is no specific allegation against any of the accused persons nor there has been any demand of dowry. The O.P. no.2 was pressurizing the petitioner to live in her parents' house as Gharjamai.

It is submitted by learned counsel for the O.P. no.2 that there is direct and specific allegation against this petitioner and this is not a fit case for grant of anticipatory bail.

Having heard learned counsel for the parties and taking into consideration that the petitioner is husband of the complainant and there is direct allegation against him in the Complaint, the Court is not inclined to enlarge the petitioner on bail and as such the application for anticipatory bail is rejected.

The petitioner is directed to surrender in the court below within four weeks.

(Partha Sarthy, J.)

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