

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6533 of 2020

Arising Out of PS. Case No.-134 Year-2019 Thana- SITAMARHI COMPLAINT CASE
District- Sitamarhi

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MAHESH GAIN @ MAHESH KUMAR Son of Shiv Shankar Gain Resident
of Village - Dighi, P.S.- Bathnaha, Distt - Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kiran Devi Wife of Mahesh Gain @ Mahesh Kumar Resident of Village -
Dighi, P.S.- Bathnaha, Distt - Sitamarhi.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dinesh Jha
For the Opposite Party/s : Mr.Asha Kumari
Mr.Alok Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

9 18-01-2022 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Complaint Case No. C1-134 of 2019 registered for the

offence punishable under sections 498A/34 of the Indian

Penal Code.

Learned counsel appearing for the petitioner

submits that petitioner has been falsely implicated in this

case. The allegation of demand of dowry and torture is

general and omnibus in nature. As a matter of fact, the

complainant herself does not want to live with this

petitioner. Petitioner has no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioner is named accused in the first information report and there are allegations of demand of dowry and torture against the accused persons including the petitioner. Moreover, the petitioner being the husband had the responsibility of keeping the complainant with full honour and dignity, in which he failed. Petitioner, therefore, does not deserve to be granted the privilege of 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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