

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38316 of 2024

Arising Out of PS. Case No.-1244 Year-2021 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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Prem Lal Hembram @ Prem Lal Kisku R/o Bahanagar, P.S.-Barsoi, District-
Katihar

... .. Petitioner

Versus

1. The State of Bihar Bihar
 2. Lalmuni Hembram Wife of Prem Lal Kisku D/o Kailash Hembram R/o
Kelabari, Balua, Bairgachhi, P.S.-Hasanganj, District-Katihar
- Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr.Damodar Prasad Tiwary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 21-04-2025 Heard learned counsel for the petitioner, State and the
complainant/ opposite party no.2.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 376, 498A/307 of the
Indian Penal Code and sections 3/4 of the Dowry Prohibition Act.

3. As per the prosecution case, complainant's marriage
was fixed with the petitioner and marriage was to take place
after a month. Meanwhile, petitioner started keeping her in his
house and used to establish physical relation with her due to
which she became pregnant. When complainant asked for
marriage, then the petitioner kept postponing the date of
marriage. After sometimes, complainant gave birth a girl child.
Complainant again asked for marriage, but this time petitioner
started demanding dowry for marriage and in consequence
thereof he used to assault & torture her. Petitioner ousted her
from the house.

4. Learned counsel appearing for the petitioner



submits that the petitioner is innocent and has falsely been implicated in this case along with his family members due to ulterior motive of the complainant. Petitioner never demanded dowry or tortured opposite party no.2. Present case was filed for offence punishable under sections 376, 498A and 307 of the IPC and sections 3/4 of the DP Act, whereas cognizance of the offence has been taken only under section 420 of the PC and section 4 of the D.P. Act against the petitioner. Petitioner claims clean antecedent.

5. Learned counsel for the State and the complainant/ opposite party no.2 oppose the prayer for bail.

6. Considering the nature and gravity of allegation, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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