

COURT OF SESSIONS JUDGE, PATNA

Anticipatory Bail Petition No. 2684/2019

Janmayjay Swetank

..... ..Petitioner.

Versus

The State of Bihar

ORDERSHEET

24.04.2019

Heard the learned defence counsel Sri Janardan Rai as well as learned I/c P.P. Sri Vijay Kumar Sinha assisted by the learned counsel Sri Sunil Kumar for the complainant on the anticipatory bail petition filed on behalf of above named accused-petitioner u/s- 438 Cr.P.C. who is apprehending his arrest in connection with Complaint Case No. 4016(C)/2018 U/s- 498(A) of the I.P.C. & 4 D.P.Act which has been registered on the basis of the complaint petition of the complainant Nishi.

Perused the record.

Learned counsel for the petitioner-accused has submitted that petitioner-accused is innocent and has committed no offence as alleged in the complaint petition and he has been falsely implicated in this case by the complainant. He has further submitted that petitioner is the husband of the complainant and he never tortured to the complainant nor demanded any dowry from her. On these basis, a prayer has been made to allow this anticipatory bail petition.

Learned counsel for the State assisted by the learned counsel for the complainant have opposed the prayer for anticipatory bail.

The case of the complainant Nishi in short, is that she got married with the accused-petitioner Janmayjay Swetank on 24th November, 2016. The role of the accused-petitioner has been assigned for demanding Rs.15 lacs as dowry, harassment and causing cruelty to the complainant.

From perusal of the complaint petition it comes out that accused-petitioner is husband of the complainant. Both the petitioner and the informant are present in Court. At the time of reconciliation and on query the complainant is ready to live with her husband but petitioner-accused is not ready to keep his wife with him, hence reconciliation failed. Petitioner-accused has already filed

Contd. Matrimonial(Divorce) Case No.848/2018.

24.04.2019 Having considered the aforesaid facts & circumstances of the case this anticipatory bail petition is disposed of with an observation that accused-petitioner is directed to surrender before the court below within four weeks of the receipt of this order and seek regular bail and the learned court below shall consider all the aspects of the case on its own merit without being prejudiced by this order.

(Dictated).

Sd-
Sessions Judge,
Patna