

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31083 of 2015

Arising Out of PS.Case No. -216 Year- 2015 Thana -AGAMKUAN District- PATNA

1. Amit Anand S/o Umesh Sharma resident of Sector No. 3MF/14/12,
Bahadurpur Housing Colony, Bhootnath Road, P.S. Agam Kuan, Patna
800026

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh, Advocate
For the State : Mr. Binod Kumar No. 2(APP)
For the informant : Mr. Shailendra Kr. Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 07-10-2015 Heard the learned counsel for the petitioner, the
learned counsel for the informant and the learned Additional
Public Prosecutor.

The petitioner apprehends his arrest in a case under
Section 498A and other sections of the Indian Penal Code.

The informant, the wife of the petitioner, alleged that
firstly the petitioner established physical relation with her on the
pretext of marriage but later on refused to marry. The informant
lodged a case thereafter the petitioner agreed to solemnize
marriage and after release on bail the petitioner solemnized
marriage with the informant but the petitioner continued to torture

her due to non-fulfillment of demand of dowry. A petition under section 9 of Hindu Marriage Act for restoration of conjugal rights was filed by the petitioner and the informant went to the house of petitioner but again the petitioner subjected her to all sorts of torture.

Sri Binod Kumar Singh, the learned counsel for the petitioner, submits that the petitioner solemnized marriage after being released from custody only with a view to protect his job but even thereafter the informant did not spare him. The informant along with her family members came and assaulted her mother and other family members for which the petitioner filed Agamkuan P. S. case No. 217 of 2015 on 15.05.2015.

On the other hand the learned counsel for the informant as well as the learned Additional Public Prosecutor vehemently opposed the prayer for anticipatory bail.

It is submitted that it was the petitioner who firstly established physical relation with the informant and then refused to marry but somehow he agreed to solemnize marriage according to customs of Arya Samaj but thereafter on one pretext or the other he subjected the informant to different sorts of torture.

It appears that the informant made very specific allegation that the petitioner, being the husband, subjected her to

different sorts of torture.

Considering the facts aforesaid, I am not inclined to
enlarge the petitioner on anticipatory bail. Accordingly, the same
is rejected.

(Prabhat Kumar Jha, J)

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