

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11175 of 2017

Arising Out of PS.Case No. -87 Year- 2016 Thana -KANHAULI District- SITAMARHI

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Navin Kumar @ Navin Paswan, son of Yadunandan Paswan, Resident of
Village- Kanhauli, P.S.- Kanhauli, District- Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Bela Singh, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh -5, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 28-04-2017 Heard both sides.

The petitioner apprehends his arrest in Kanhauli P.S.
Case No. 87/2016, registered for the offences punishable under
Section 498A and other sections of the Indian Penal Code and
sections 3, 4 of the Dowry Prohibition Act.

The informant alleged that she was married to the
petitioner while he was working as Panchayat Teacher, but
petitioner qualified and appointed on the post of Clerk in
Chhatishgarh Gramin Bank. The petitioner began to demand Rs.
8,00,000/-. The informant alleged that thereafter the petitioner
subjected her to physical and mental torture and ultimately, the
petitioner and other family members assaulted her and drove her
out from the house.



Learned counsel for the petitioner submits that the petitioner is of course, the husband of the informant, but the informant misbehaved with the parents of the petitioner and she does not want to live with them that is why the petitioner does not want to keep the informant. The petitioner is ready to give maintenance. It is further submitted that during course of investigation the witnesses have stated that the informant did not look after the old parents of the informant that is why some dispute arose.

On the other hand, learned counsel for the informant as well as the learned A.P.P. vehemently opposed the prayer for anticipatory bail of the petitioner and submitted that when the petitioner got employment in rural bank the petitioner started subjecting the informant to different sorts of torture and drove her out from the house. It is submitted that the petitioner has already solemnized second marriage. Even during the course of hearing of anticipatory bail before the learned Sessions Judge, Sitamarhi, the petitioner refused to keep the informant.

It appears that there is allegation against the petitioner that the petitioner subjected his wife to physical and mental torture due to non-fulfillment of demand of dowry. The marriage was solemnized in the year 2012. The informant is ready



to live with the husband, but the petitioner refused to keep his wife on one pretext or other.

Considering the facts aforesaid and the fact that the petitioner is not at all ready to keep his wife, I am not inclined to enlarge the petitioner above-named on anticipatory bail. Accordingly, the same is rejected.

(Prabhat Kumar Jha, J.)

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