

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6675 of 2019

Arising Out of PS. Case No.-1069 Year-2018 Thana- PATNA COMPLAINT CASE District-
Patna

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Binod Kumar, S/o Late Sita Ram Paswan, R/o Village- Taridabil, P.S- Jamui,
Dist- Jamui And Flat no. 301, Sunder Lal Place Apartment, Mohalla,
Anandpuri, P.S- Sri Krishnapuri, Dist- Patna, At Present working as Deputy
Election Officer, Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kiran Bharti, W/o Binod Kumar, resident of Village- Taridabil , P.S- Jamui,
Dist- Jamui and Flat No. 301, Sunder Lal Place Apartment, Mohalla-
Anandpuri, P.S- Sri Krishnapuri, Distt- Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rama Kant Sharma, Senior Advocate Mr. Subhash Kumar Mishra, Advocate
For the Opposite Party/s :		Mr.Arbind Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 29-07-2019 This is an application for grant of anticipatory bail in
connection with Complaint Case No. 1069 (C) of 2018,
disclosing offences under Sections 498A and 494 of IPC.

Complaint against the petitioner stating that the
petitioner demanded one car in dowry and for that, refused to
marry and even after repeated requests made by the parents of
the complainant, thereafter seeing no option, her parents assured
her husband to give a car later on, when they will be able to give
the same, then Sindurdan was performed. But thereafter, they
started demanding dowry, which the complainant tolerated in



order to keep the marital life alive but the torture increased day by day and thereafter, she informed the same towards the family members but petitioner was adamant on demand of car. It is also stated that she gave birth of a male child and the expenses were borne by her parents. But again the petitioner started demanding Rs.5,00,000/-, in which she was subjected to cruelty and harassment and thereafter, Rs.2,00,000/- was given to the petitioner but again petitioner demanded dowry and Rs.50,000/- was given to him. It is also allegation against the petitioner that petitioner avoiding her and resided at Madhubani with some other lady and he had married with one Anuradha Kumari and she had two children also from that. It is also stated that she was ousted from the house.

Submission of the learned counsel for the petitioner is that as a matter of fact, a divorce case was filed by the petitioner in the year 2016 and thereafter, in the year 2018, but the present case has been lodged by the opposite party no.2-complainant and prior to that mother of the petitioner has also lodged a complaint against the complainant. The allegation of demand is false and concocted.

On the other hand, learned counsel for the opposite party no.2 has submitted that though he has filed a divorce case



in the year 2016 but the order sheet which he has annexed with the counter affidavit clearly shows that he was not made the prayer to issue notice to her after filing of the complaint case and further petitioner had married with another lady and she had left no option and filed complaint against him and the other case lodged by the mother of the petitioner is false and concocted as of that the mother of the petitioner was residing with the complainant.

Having heard both sides, in view of the allegations and submissions made above, I am not inclined to grant privilege of anticipatory bail to the petitioner.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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