

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23131 of 2019

Arising Out of PS. Case No.-1899 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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Pawan Singh @ Pawan Kumar Singh, Son of Shree Bharat Singh, Resident of
Village- Tujarpur, P.S.- Khaira, District- Saran at Chapra.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Gita Devi, wife of Pawan Singh, Daughter of Gajnath Singh, Resident of
Village- Tijarpur, P.S.- Khaira, District- Saran at Chapra. At Present residing
at Village Jawainia, P.S.- Marhowrah, District- Saran at Chapra.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dewendra Narayan Singh
For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 06-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Tr.
No.1593 of 2018, arising out of Complaint Case No.1899 of
2017, in which cognizance for the offence punishable under
Section 498(A) of I.P.C. has been taken against the petitioner.

The allegation against the petitioner as per the First
Information Report is that complainant was married to the
petitioner on 07.06.2011 according to Hindu Rites. It has
further been alleged that father of the complainant had given
gift, cash as well as motorcycle, T.V. and fridge etc. at the time



of marriage. When the complainant went to her matrimonial home, she lived there for some time peacefully and gave birth to a female child. It has further been alleged that petitioner along with other accused person started demanding further amount of 3 lakhs from the complainant and her family members and due to non-fulfillment of demand, the petitioner and his family members assaulted the complainant and ousted her from matrimonial home on 13.06.2017.

Mr. Radha Mohan Singh as well as Mr. Krishna Kant learned counsel appearing for Opposite Party No.2 ,i.e., complainant are present before this Court.

It appears that though the parties was sent for in Mediation for amicable settlement but before the learned Mediator, petitioner did not appear and evaded the proceeding over there.

Mr. Krishna Kant Singh, learned counsel for Opposite Party No.2 submits that on 22.08.2019, statement was made on behalf of the petitioner that petitioner is ready to keep Opposite Party No.2 as his wife along with child with all care, dignity and honour but the petitioner has not shown his bona fide and today when the mater has been called, he is not present whereas wife, i.e, Opposite Party No.2 is present in Court.



Mr. Radha Mohan Singh, learned counsel appearing for the petitioner submits that despite his best effort, the petitioner could not be contacted because his cell phone was found switched off continuously. Learned counsel thus submits that matter may be disposed of on its own merit.

Perused the complaint and it appears that there is specific allegation against the petitioner as well as other family members that complainant was being tortured for non-fulfillment of demand of dowry and in that view of the matter, I am not inclined to grant anticipatory bail to the petitioner and the same is hereby rejected.

(Anil Kumar Sinha, J)

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