

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79491 of 2018

Arising Out of PS. Case No.-1995 Year-2017 Thana- MUZFFARPUR COMPLAINT CASE
District- Muzaffarpur

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Ashutosh Kumar @ Asutosh Kumar S/o Nand Kumar Mahto R/v-
Bakuchi,P.S-Katra,Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

1. State Of Bihar and Anr
2. Arti Devi D/o Shakal Dev Prasad R/vill-Nawada, P.S-Katra,Distt.-
Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar
For the Opposite Party/s : Mr.Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

4 02-05-2019 Heard learned counsel for the petitioners and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection

with Complaint Case No. 1995 of 2017/ Trial No. 2733 of

2018 for the offence punishable under Sections 498(A) of

the Indian Penal Code.

Learned counsel appearing for the petitioner

submits that the petitioner, who is of clean antecedent, is

innocent and has not committed any offence. In fact, the

matter has been sent to the Mediation Center but the dispute

between the parties could not be resolved and the mediation

has failed between the parties which is evident from the



Mediator's report. The petitioner happens to be husband of the complainant and he wants to keep the complainant with full honour and dignity but the complainant herself does not want to reside with the petitioner. Hence, the petitioner may be granted the privilege of anticipatory bail.

Learned counsel for the O.P. No.2 has opposed the prayer for bail and submitted that the complainant was subjected to assault on non- fulfillment of the dowry demand. Moreover, the petitioner is not ready to keep the complainant as a wife.

Considering the facts and circumstances of the case, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. Accordingly, the prayer for grant of anticipatory bail of this petitioner is hereby rejected.

(Arvind Srivastava, J)

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