

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42320 of 2019

Arising Out of Case No.-559 Year-2018 COMPLAINT CASE District- Araria

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ARVIND KUMAR MAHTO Son of Late Ram Chandra Mahto Resident of
Badhaipatti Sultan Pokhar, ward no. 4, Nagar Parishad Forbesganj, P.S. -
Forbesganj, District - Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kavita Devi Wife of Arvind Kumar Mahto Daughter of Sri Ratan Sah,
Resident of - Badhaipatti Sultan Pokhar, ward no. 4, Nagar Parishad
Forbesganj, P.S. - Forbesganj, District - Araria.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kundan Kumar Singh
For the Opposite Party/s : Mr.Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 09-07-2019 Heard both sides.

The petitioner apprehends his arrest in Complaint case
No. 559 (C) of 2018 registered under Section 498A of the IPC
and u/s 4 of the Dowry Prohibition Act.

The complainant alleged that her husband is habitual
drunker and he used to torture the complainant and her two
children, Roshni Kumari-11 years and Alok Kumar-10 years.
The petitioner brutally assaulted the complainant and drove her
out from the house. The complainant lodged the case. The
petitioner filed Matrimonial Suit No. 19 of 2016 for restitution
of conjugal rights and in pursuance of the order the complainant
went to her Sasural and restored conjugal relation but she lost



her job in the hospital and thereafter the petitioner again started subjecting her to different sorts of torture.

The learned counsel for the petitioner submits that petitioner is ready to keep his wife but his wife does not want to live with petitioner on one pretext or the other but it appears from the complaint petition that earlier also the petitioner assaulted his wife and children. The petitioner made filthy allegation against his wife when she got job in a hospital as Midwife but later on, on the petition of petitioner for restitution of conjugal rights the complainant went to the house of petitioner but petitioner again assaulted her and drove her out from the house.

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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