

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62799 of 2019

Arising Out of PS. Case No.-1657 Year-2018 Thana- MUZZFARPUR COMPLAINT CASE
District- Muzaffarpur

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Amar Kumar, S/O Dinesh Kumar @ Dinesh Sah, R/O Mohalla- Aghoriya Bazar, In Front of L.N. T. College, P.S.- Kazi Muhammadpur, District- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari, W/o Amar Kumar D/O Shri Sunil Kumaraa Sah, At Present R/O Mohalla- Chandwara, Soda Godown Chowk, P.S. Muzaffarpur Town, District- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-10-2019 This is an application for grant of anticipatory bail in connection with Complaint Case No. 1657 of 2018, disclosing offences under Sections 323, 341, 498A, 504 of IPC and Section 3/4 of Dowry Prohibition Act.

Allegation of demand of Maruti Car and for that, petitioner driven his wife out of the matrimonial house.

Submission of the learned counsel for the petitioner is that after filing of the divorce case, the present case has been lodged.

Heard learned A.P.P. as well as learned counsel for the opposite party no.2, who has opposed the prayer for anticipatory



bail and has submitted that as a matter of fact, when she was driven out of the matrimonial house, she filed a matrimonial case, which is pending before the court below. Thereafter, the divorce case has been filed by the petitioner and efforts for reconciliation was also made before the learned Sessions Judge, but the petitioner was not ready to keep her nor any amount has been paid by him to the informant towards her maintenance.

Having heard both sides, in view of the facts and circumstances, as stated above, I am not inclined to grant privilege of anticipatory bail to the petitioner. However, he may surrender before the learned court below and make prayer for regular bail, the same shall be considered on its own merit, without being prejudiced by order of this Court.

With the aforesaid, this application is dismissed.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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