

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.79442 of 2018**

Arising Out of PS. Case No.-529 Year-2017 Thana- BHAGALPUR COMPLAINT CASE  
District- Bhagalpur

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Rohit Goshwami @ Rohit Goswami, son of Satya Narain Goswami, Resident of Village- Saraiya, Police Station- Bounsi, District- Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Devi, Daughter of Sri Mahesh Goswami, Resident of Mohalla-Salepur, Police Station- Habibpur in the Town and District of Bhagalpur.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Sri Jai Narain Thakur

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR  
MISHRA**

ORAL ORDER

5      09-07-2019                      Heard learned counsel for the petitioner and the learned  
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Complaint Case No. 529 of 2017, registered under Sections 323, 341 and 498(A)/34 of the Indian Penal Code and Section 4 of the Dowry Prohibition Act, pending in the court of S.D.J.M., Bhagalpur.

The accusation is of torturing the complainant-opposite party no. 2 by her husband and in-laws due to non-fulfillment of demand of dowry and removing from her matrimonial house, snatching her personal belongings.

Learned counsel for the petitioner submits that petitioner has filed the Matrimonial Case No. 61 of 2016, under Section 9 of the Hindu Marriage Act, in the court of Principal Judge, Family



Court, Banka, in which, complainant-opposite party no. 2 appeared and the matter was settled and she was taken at her matrimonial house.

On the other hand, learned counsel for the complainant-opposite party no. 2 submits that after filing the Maintenance Case No. 79 of 2016, under Section 125 of the Cr.P.C., petitioner assured to keep his wife-opposite party no. 2 with full dignity and honour and the aforesaid both cases have been compromised by both parties and she went at her matrimonial house but she was again removed from her matrimonial house.

Having considered the facts and circumstances of the case and the nature of allegation against the petitioner, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, his prayer for grant of anticipatory bail stands rejected. The petitioner is directed to surrender before the trial court within four weeks and pray for regular bail, which would be considered by the trial court in accordance with law without being prejudiced by the order of this Court.

**(Rajendra Kumar Mishra, J)**

Bhardwaj/-

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