

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4199 of 2020

Arising Out of PS. Case No.-204 Year-2019 Thana- NOKHA District- Rohtas

MITHILESH KUMAR Son of Lallan Prasad Chourasiya Resident of Village -
Dhangai ward no. 7, P.S.- Bikramganj, Distt - Rohtas at Sasaram.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR Bihar
2. Anu Kumari D/o Anil Kumar Chourasiya Resident of Village - Nokha Ward
No. 5, P.S.- Nokha, Distt - Rohtas at Sasaram.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Singh
For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

5 17-09-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Rabindra Kumar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Nokha P.S. Case No. 204 of 2019 for the offence registered under Sections 498A/ 34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act.

The case of the prosecution in brief is that the informant is stated to have been married with the petitioner herein on



25.02.2015 according to Hindu rites and customs and it is alleged that after few days of marriage, the in-laws of the informant as also the petitioner herein had started demanding dowry and on account of non-fulfillment of the demand for dowry, they had subjected the informant to torture and had also assaulted her. It is further alleged that subsequently the petitioner had snatched all the belongings of the informant including ornaments whereafter he had left home to join his services inasmuch as is employed with the C.R.P.F. and on account of continuous torture by the other accused persons, the informant had come to her parental home. It is also alleged that the petitioner has performed another marriage with one Priyanka Kumari after taking huge sums by way of dowry.

The learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that the petitioner is ready to keep the informant with due honour and dignity.

Per contra, the learned counsel for the opposite party no. 2 has submitted that the informant has been tortured and assaulted by the petitioner and his family members on account of non-fulfillment of the demand for dowry and lastly the



petitioner has married another woman after taking huge sums of dowry, hence there is no chance of re-conciliation.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the nature of allegations levelled against the petitioner herein specially regarding the accused persons including the petitioner having tortured the informant and the petitioner having abandoned the informant, I do not find the present case to be a fit a case for grant of anticipatory bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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