

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7546 of 2020

Arising Out of PS. Case No.-40 Year-2019 Thana- MAHILA PS District- Jehanabad

Ravi Kumar, Son of Anil Sharma, Resident of Village - Dhibri, P.O.-
Patiyawan, P.S. - Shakurabad, District - Jehanabad, presently Resident of
Mohalla - Brahmarshi Nagar, P.S.- Makhdumpur, District - Jehanabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari, D/o Vijendra Sharma, R/o Village - Indrapur, P.S. -
Makhdumpur, District - Jehanabad.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Umesh Kumar, Advocate
For the State	:	Mr.Satyadeo Singh Yadav, APP
For the Informant	:	Mr. Vinod Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 07-07-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State as well as the learned counsel for the informant.

The petitioner is apprehending his arrest in connection with Jehanabad Mahila P.S. Case No.40 of 2019 registered for



the offence punishable under Sections 341, 323, 498A/34 of the Indian Penal Code, which is pending in the court of S.D.J.M., Jehanabad.

The prosecution case, as per the informant's version, is that she married with the petitioner on 28.11.2018. When she went to her in-laws house along with her father on 05.03.2019, informant and her father, both, were tortured and assaulted by the accused persons, in spite of the fact that on 28.11.2018, a compromise had been prepared in presence of "*Panch*" at Makhdumpur Police Station.

It is submitted by the petitioner's counsel that the petitioner was forcibly married with the informant. The alleged compromise dated 28.11.2018 (Annexure 2) is a product of coercion and not based on freewill or consent. The petitioner is the victim and alleged torture and demand for dowry are false.

Learned APP for the State has opposed the prayer for pre-arrest bail. He has submitted that there is a direct allegation against the petitioner, who is the husband. The compromise dated 28.11.2018 (Annexure 2) leaves no scope for doubt that the petitioner is the husband.

Considering the rival submissions and the nature of allegations, this Court is not inclined to allow the petitioner the



privilege of anticipatory bail. It is, accordingly, rejected.

(Madhuresh Prasad, J)

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