

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25515 of 2019**

Arising Out of PS. Case No.-3825 Year-2016 Thana- GOPALGANJ COMPLAINT CASE  
District- Gopalganj

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1. Mukesh Kumar Son of Arjun Das, Resident of House no. 2809/5, Bhagat Singh Lane, Chuna Mandi, P.S.- Paharganj, New Delhi- 110055,
  2. Arjun Das, Son of Late Parmeshwar Das, Resident of Village- maheshadih, P.S.- Banka, District- Banka, A/p resident of House No. 2809/5, Bhagat Singh Lane, Chuna Mandi, P.S.- Paharganj, New Delhi- 110055

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepika Kumari, Wife of Mukesh Kumar, D/O Jailal Ram, Resident of village- and P.O. and P.S.- Bounsi, Banka, Haal District- Banka, at Present Village- Kalyanpur Madhubani, P.S.- Sidhwalia, District- Gopalganj.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioner/s | : | Mr. Deepak Kumar Singh, Adv. |
| For the State        | : | Mr. Abhay Kumar no.1, Adv.   |
| For the O.P.No.2     | : | Mr. Ashok Kumar, Adv.        |

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**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY**  
**ORAL ORDER**

12    06-10-2020                      Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party no.2 through video conferencing.

By order dated 23.4.2019 passed in this case the petitioner no.2 Arjun Das had been enlarged on anticipatory bail.

As per allegation in the complaint, the complainant/opposite party no.2 was married to the petitioner no.1 through Jeevansathi.com. It is stated that dowry was given by her father at the time of marriage. However, subsequently, the accused persons started to torture her making demand of



dowry including a Bolero vehicle. The complainant has given a list of articles/gifts in the complaint, given by the complainant's father at the time of marriage.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the complaint are all false and concocted. From the recital in the complaint it could transpire that the marriage between the parties had been arranged after coming in touch on Jeevansathi.com. It is further submitted that as a result of differences, the petitioner no.1 filed a divorce case which was registered as HNA No.2555 of 2016 in the Court of Principal Judge, Family Court, Central District, THC, Delhi on 27.2.2016 and it was much thereafter on 10.5.2016 that the instant complaint was filed making false allegations therein.

The application for bail is opposed by learned APP for the State as also learned counsel for the opposite party no.2.

It is submitted by learned counsel for the complainant that the petitioner no.1 as also the members of his family tortured the complainant for non-fulfillment of demand of dowry. The petitioner no.1 who happens to be an Assistant Manager in IDBI Bank made false allegations of adultery against the complainant in the dowry case filed by him. Making such allegations itself amounts to cruelty. Even thereafter, the complainant being a helpless lady was ready to settle the dispute and to reside with the petitioner no.1 but the attempt at



conciliation at the mediation center failed because of the attitude of the petitioner no.1. As such it is prayed that even the interim relief granted to the petitioner no.1 be vacated and the application for bail be rejected.

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the parties together with the fact that the complaint was filed much after the divorce case having been filed by the petitioner in the Court at Delhi, the Court is inclined to enlarge the petitioner on bail. The petitioner no.1 is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Complaint Case no.3825 of 2016, he will be enlarged on bail on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.VI, Gopalganj, subject to the conditions as laid down in section 438(2) of Criminal Procedure Code.

**(Partha Sarthy, J)**

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