

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62869 of 2019

Arising Out of PS. Case No.-3483 Year-2017 Thana- SARAN COMPLAINT CASE District-
Saran

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Navin Kumar Singh, Son of Shreenet Singh, Resident of Village- Ratanpura,
P.S.- Lar road, District- Deoria, Uttar Pradesh, Presently reside at House No.
44, Chandralok Society, Behind Ganga Sagar House, Parvat Gaon,
Surat(Gujrat).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smt. Kajal Singh, Wife of Navin Kumar Singh, D/O Shree Rajendra Singh
Resident of Village- Dhurapali, P.S.- Rasulpur, District- Saran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Shrivastava, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 06-03-2020 Heard learned counsel for the petitioner, learned counsel
for the opposite party no. 2 and learned A.P.P. for the State.

The instant application for anticipatory bail has been filed
by the petitioner apprehending his arrest in connection with
Trial no. 2530 of 2019 arising out of Complaint Case no. 3483
of 2017 registered for the offence(s) punishable under sections
323, 379, 406, 498A, 504, 506 and 34 of the Indian Penal Code
and sections 3 and 4 of the Dowry Prohibition Act.

As per the allegation in the complaint, the petitioner was
married to complainant on 02.12.2015. It is stated that the
parents of the complainant spent a sum of Rs. 4 lacs in the form



of gifts besides giving ornament etc. Soon after the marriage she proceeded to Surat in Gujarat where she started to live with the husband. It was stated that expense was borne by the father and he deposited different amounts in the account as described in paragraph no. 2 of the complaint petition. It was stated that in March, 2016, the accused persons started to allege that adequate dowry had not been given in the marriage. It was stated that furniture for the new flat as also a car should be bought and for which they should pay a sum of Rs. 6 lacs in cash so that the car can be purchased. It is stated by the complainant that her father expressed his inability to meet the demand and paid a sum of Rs. 2 lacs after withdrawing the same through an ATM. It is finally submitted that the demand and the torture continued and on non-fulfillment of the same, the accused persons beat up the complainant. In spite of persuasion they were not ready to settle the matter.

It is submitted by learned counsel for the petitioner that although the petitioner happens to be the husband of the complainant, the allegations in the complaint are general and omnibus in nature. There is no direct allegation against this petitioner. Cognizance has not been taken against other co-accused persons. It is further stated that the petitioner has no



criminal antecedent and the matter could not be settled in the mediation proceeding because of the unreasonable attitude of the opposite party no. 2.

It is submitted by learned counsel for the opposite party no. 2 that there is direct and serious allegations against this petitioner who being the husband is the main person responsible for the welfare of the opposite party no. 2.

Having heard learned counsel for the parties and in the facts and circumstances of the case including the direct allegations against the petitioner in the petition of complaint together with the relationship of the petitioner being husband of the complainant, this Court is not inclined to enlarge the petitioner on anticipatory bail and as such, his application for anticipatory bail is rejected. He is directed to surrender in the Court below within a period of 4 weeks.

In case the petitioner surrenders within the aforesaid time, his application for bail shall be considered by the Court below expeditiously without being prejudiced by this order of rejection.

(Partha Sarthy, J)

Ankit/-

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