

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8124 of 2019**

Arising Out of PS. Case No.-1088 Year-2017 Thana- GAYA COMPLAINT CASE District-
Gaya

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RAJESH PRASAD Ramji Prasad @ Ramjee Prasad Resident of Mohalla-
Rikabganj, Near Tekari Police Station, Police Station- Tekari, District- Gaya.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR
2. Anjali Devi Ashok Prasad Gupta wife of Rajesh Prasad, Resident of
Mohalla- Rikabganj, Police Station- Tekari, District- Gaya, Present Address
Village- Sikahar, Police Station- Mofassil and District - Gaya.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manish Kumar No2, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

10 03-12-2021 Heard learned counsels for the petitioner and the

State.

Petitioner apprehends arrest in connection with

Complaint Case No. 1088 of 2017 filed for the offences

punishable under sections 323, 380, 406 and 498A of the

Indian Penal Code and section 12 of the Domestic Violence

Act.

Learned counsel appearing for the petitioner

submits that petitioner has been falsely implicated in this

case. The allegations levelled are false and baseless. As a

matter of fact, it is the complainant who does not want to

reside with this petitioner. The allegations levelled are general and omnibus in nature. Petitioner has no criminal antecedent.

Learned Addl. P.P. appearing for the State opposes the prayer for bail and submits that petitioner is named accused in the first information report and there are allegations of torture and demand of dowry against him and others. Moreover, petitioner being the husband had the responsibility of keeping his wife with full honour and dignity, in which he failed. Petitioner, therefore, does not deserve to be granted the privilege of bail.

Considering the nature of allegations levelled, the materials available on record and the submissions advanced on behalf of the parties, this Court does not find it to be a fit case for grant of anticipatory bail to the petitioner. The same is, therefore, rejected.

(Arvind Srivastava, J)

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